



Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft on **Tuesday, 11 June 2024 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/COj-25FhWbs?feature=share>

Members:

Councillor Sarah Plummer (Chair), Councillor Julia Ewart (Vice-Chair), Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Katie Graham, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Geoff Wakeling.

An Agenda is set out below.

Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the minutes of the meeting held on 14 May 2024.	1 - 34
5	East Suffolk Enforcement Action - Case Update ES/1994 Report of the Head of Planning and Coastal Management.	35 - 52
6	DC/22/4993/FUL - Land North of Union Lane, Oulton, Suffolk ES/1985 Report of the Head of Planning and Coastal Management.	53 - 85
7	DC/24/1124/FUL - Ingleside, 3 Cloutings Close, Kelsale Cum Carlton, Saxmundham, IP17 2RX ES/1986 Report of the Head of Planning and Coastal Management.	86 - 95

Part One – Open to the Public		Pages
8	DC/24/1111/FUL - Jubilee Parade, The Esplanade, Lowestoft, Suffolk ES/1987 Report of the Head of Planning and Coastal Management.	96 - 102
9	DC/24/1177/FUL - Dip Farm Car Park, Corton Road, Lowestoft, Suffolk, NR32 4PL ES/1988 Report of the Head of Planning and Coastal Management.	103 - 109
10	DC/24/0177/FUL - 365 London Road South, Lowestoft, Suffolk, NR33 0DY ES/1991 Report of the Head of Planning and Coastal Management.	110 - 114
11	DC/24/1001/FUL - 32 Mount Pleasant, Halesworth, Suffolk, IP19 8JF ES/1992 Report of the Head of Planning and Coastal Management.	115 - 118

Part Two – Exempt/Confidential	Pages
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There are no Exempt or Confidential items for this Agenda.

Close



Chris Bally, Chief Executive

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Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 14 May 2024 at 2:00 PM**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Katie Graham, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Officers present: Joe Blackmore (Principal Planner (Development Management, North Area Lead)), Katy Cassidy (Democratic Services Officer), Martin Clarke (Licensing Manager and Housing Lead Lawyer), Ellie DeGory (Assistant Planner), Mia Glass (Enforcement Planner), Natalie Levett (Senior Planner), Eloise Limmer (Senior Design and Heritage Officer), Agnes Ogundiran (Conservative Political Group Support Officer), Phil Perkin (Principal Planner (Major Sites)), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Ben Woolnough (Interim Joint Head of Planning)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Parker. Councillor Smithson attended as their substitute.

Apologies for absence were received from Councillor Gee. Councillor Back attended as their substitute.

2 Declarations of Interest

Councillor Ashton declared an other registerable interest and recused themselves from agenda item 6 as they had opposed that item.

Councillor Ashton declared an other registerable interest and recused themselves from agenda item 10 as East Suffolk Council were the land owners.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Plummer, Ewart, Ashdown, Pitchers and Wakeling all declared that they had been lobbied via email on items 6 and 7 and had given no response.

Councillor Ashton had been lobbied extensively on items 6 and 7, as declared in agenda item 2, Councillor Ashton recused himself from voting on item 6, however as no opinion had been given for item 7, he remained on the Committee.

4 Minutes

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

RESOLVED

that the minutes of the meeting held on 9 April 2024 be agreed as a correct record and signed by the Chair

5 East Suffolk Enforcement Action - Case Update

The Committee received report ES/1946 of the Interim Joint Head of Planning 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 24 April 2024. At that time there were 17 such cases. The Chair invited the Enforcement Planner to comment on the report.

The Enforcement Planner advised that:

- Notice had been served at 243 London Road South, Lowestoft, relating to the replacement of a shop front, further detail would be provided in June's enforcement report.
- The Street, Lound, a compliance visit took place on 29/04/24, following this visit the enforcement team were not satisfied that the notice had been fully complied with, therefore this had been referred to the legal team.

The Enforcement Planner advised that there were no further updates to the report and the Chair invited questions from the members.

Councillor Ashdown queried the expected timeframe for the legal work and when the Committee could expect to see actions. The Enforcement Planner confirmed that they had a new appointment within the legal team who would be focusing on planning enforcement cases and agreed to keep Councillor Ashdown updated of progress.

It was noted that the date in Item B.7 needed to be corrected to 19/04/2024.

Councillor Ewart requested an update on progress on items F.2 and F.3. The Licensing Manager and Housing Lead Lawyer confirmed that they had employed a Litigation Lead Lawyer to deal with enforcement matters and advised that both cases were progressing with the legal team, and as the landowners were not present at the public meeting further updates would be given outside of the meeting.

On the proposition of Councillor Ashdon, seconded by Councillor Wakeling, it was by a unanimous vote **RESOLVED** That the outstanding enforcement matters up to 24 April 24 be noted.

6 DC/21/4006/OUT - Land South of Darsham Station, Main Road, Darsham

The Committee received report ES/1947 of the Interim Joint Head of Planning which related to planning application DC/21/4006/OUT.

The application sought outline planning permission for the erection of up to 110 dwellings, public open space and associated infrastructure.

The Committee received a presentation from the Principal Planner (Major Sites), who was the case officer for the application. The site's location plan and an aerial photograph were shared with the Principal Planner highlighting Darsham Railway Station to the north of the site and the Grade I listed Cockfield Hall to the West, the A12 running along the western boundary of the site, with Westleton road on the southern boundary. It was pointed out that Yoxford was a short distance away to the South West and the entire site was approximately 7.5 hectares.

The Principal Planner told the Committee that the site was allocated in the Local Plan for approximately 120 dwellings, the allocation policy criteria were shared with the Committee, with the main ones to be focused on listed as:

Residential use to be contained within the northern half of the site alongside communal open space provision.

- c) Provision of affordable housing on site.
- e) Improved pedestrian and cycle connectivity with the station and Yoxford village will be required, including a crossing point to provide links to the existing footway network.
- f) Vehicle access from the south of the site through the southern half of the site which is to be otherwise retained as agricultural land reflecting the rural setting in proximity to Cockfield Hall Park.
- g) Design and layout of the development to respond to the Cockfield Hall Park historic park and garden and by sympathetic to the setting of the Grade I listed Cockfield Hall and the setting of Yoxford Conservation Area.

The Principal Planner noted that the application was accompanied by a Framework Plan, which set out the clear design principles of the development of the site, eg differing building heights, pedestrian links and the two crossings of the A12, and had been worked up via detailed pre-application discussions with the applicant and as part of the determination of the application in conjunction with the Design and Heritage Officer.

Photos were shared, showing differing views of the site to give context to the Committee and highlighting the locations where the signalised and non-signalised crossings of the A12 were proposed.

The Principal Planner noted that the application was submitted in 2021 and since then there had been extensive negotiations with the Highway Authority to achieve improved cycle and pedestrian connectivity to the railway station and Yoxford. Slides were shared with the Committee highlighting what the planned improvements

were. The proposed cycle path and footpath were shown, with the Principal Planner highlighting the planned width of 3.5 metres in the majority of the improvements, noting that where it was not possible to achieve this width, the narrower width was still acceptable to the Highway Authority.

The Principal Planner pointed out that in addition to the off-street highway works planned with the application, there were other non-associated applications that would also deliver highway improvements, eg junction improvements to the Leiston road associated with the development of Sizewell C and the tourism development application at Cockfield Hall which would see the private access upgraded to public footpath linked to Yoxford High Street. Whilst this wasn't a material consideration, the Principal Planner noted that it indicated what might come forward in the future.

An illustrative aerial plan of the site was shared with the Committee showing the proposed layout of the site.

The material planning considerations and key issues were summarised as:

- Principle of development
- Design and layout considerations
- Highway considerations
- Landscape and visual impact
- Heritage considerations
- Flood risk
- Ecology
- Public benefits

The Principal Planner explained that one of the main reasons for the time spent in getting the application to Committee was the negotiations for the highway and cycle connectivity improvements agreements with the Highway Authority. It was noted on the update sheet that the A12 signalised crossing was still to be fully designed, but if it transpired not possible to accommodate such a crossing then the Highways Authority had requested a section 106 contribution towards Yoxford Primary School pupil transport costs.

The recommendation to delegate authority to the Interim Joint Head of Planning to approve the application for planning permission was outlined to the Committee.

The Chair invited question from the Committee to the Principal Planner.

In response to a question from Councillor Graham regarding pedestrian and cycle access routes, the Principal Planner confirmed that there was land alongside the A12 that formed part of the Highway which would be accessed. Councillor Graham expressed concern shared from the Parish Council that should the verge be removed it would feel very unsafe and act as a deterrent to use it, particularly for people with disabilities or young families as it would be so close to the A12.

Councillor Graham asked if both crossings were proposed to be signalised or just one. The Principal Planner confirmed that one was proposed to be signalised with the crossing at the northern end of the site not being signalised.

The Interim Joint Head of Planning added that they were confident that the southern crossing could be delivered as a signalised crossing, the Highways authority had added this as a condition and the plans had been subject to scrutiny from Highways and Road Safety audits, noting that the section 106 contribution was very much a safety net.

In response to the Chair, it was clarified that the non-signalised cross was not proposed to have a mid-point, it would involve crossing both carriageways.

Councillor Ashdown questioned, should the application be approved, would the reserve matters application return to Planning Committee North? The Interim Joint Head of Planning confirmed that whilst it was not guaranteed that reserve matters applications return to planning committee following outline approval, they were subject to the same scheme of delegation and scrutiny as an outline application, adding with an application of this scale it was likely that it would come in front of committee.

Councillor Ewart noted the potential attraction of the properties to people coming into the area for the Sizewell development and asked whether any legislation existed where the purchase could be linked to someone who had been living in the IP17 postcode for a long time.

Councillor Ewart commented on the magnitude of the development and the wider picture of developments locally, raising concern about the information provided and whether all of the planned consented developments were being considered, such as the Yoxford roundabout, the new A12 layout, the park and ride at Darsham and the subsequent increased volume of traffic, which would include a large influx of construction vehicles.

The Interim Joint Head of Planning reassured the Committee that as the outline application was already in existence this would have been considered as part of the County's Sizewell C transport modelling and safety assessments. They noted that the Highway authority would have been aware of all of the developments and looked at this application as a subservient element to those overarching plans. In addition, the applicant would also have been required to consider how this development would function in isolation. The Principal Planner presented other compatible changes that could exist and the Highway authority were fully aware of all of the developments and the changes that would occur on the A12 corridor and consider them to be suitable alongside the amount of development proposed.

Councillor Ewart acknowledged the comments made, querying why the information pack received did not explain all of the A12 developments, in particular referencing a document Planning Inspectorate Reference Joint Local Impact Report. The Principal Planner referred members to paragraph 6.20 of the report which outlined how Sizewell C was considered concurrently, confirming that the transport assessment submitted with the application, had regard to the transport assessment for Sizewell C and the trip rates, and concluded that there were no operational capacity issues in future years and the proposed generated traffic could be comfortably accommodated by the existing network.

Councillor Wakeling questioned by how much the layby would be shortened,

expressing concern as the layby was used as a truck stop. The Principal Planner confirmed that it would be shortened to accommodate the proposed crossing, and there had been extensive negotiations involving the police prior to agreement. It was clarified that the reduction would be at the Darsham Station end.

Councillor Graham referred back to the issue of road crossings, noting that in the local plan one of the ambitions was to maximise the possibilities for sustainable travel. They noted that the feeling from the Parish Council representations is that what was proposed was not safe and there had been a request to consider a walk away bridge rather than this non-middle point pedestrian crossing, asking why this was not acted upon? The Principal Planner confirmed that there had never been an intention to have a bridge across the A12. The Interim Joint Head of Planning stated a bridge would need considerable landing space on both sides and would require third party land beyond the highway to be available, adding this was not something that the Highway Authority had asked for at either local plan or application stage and the whole application was subject to road safety audit.

Councillor Smithson noted that one of the problems with many outline planning applications was that material consideration hadn't been considered and by the time they are looked at things could change, eg reduced affordable housing. Councillor Smithson added they would be much happier to see stronger material considerations, as there wasn't a full understanding of what was being offered, only a potential if the road crossing didn't work of a bus to take children to school that doesn't meet needs of whole community. In response the Interim Joint Head of Planning reiterated that the school transport section 106 was a safeguard fall back only and was not likely to be required as a signalised crossing was to be provided as part of the development.

The Interim Joint Head of Planning added that the reserve matters would follow on for future consideration and an outline proposal was a completely acceptable proposal to submit, with reserve matters not deemed necessary at that stage. With this application and the submission of the parameter plans and master plan, everything was very well informed with surveys and assessments behind, leading to more detail at reserve matter stage. The Committee should be reassured from all of the work that has gone into this application from the Case Officer, Design and Heritage Officer, flood authority and highways authority all working together.

Councillor Ewart referred to the LLFA comments within the report and the Interim Joint Head of Planning advised the Committee to only refer to the latest response consultation as that would supersede the previous consultation.

Councillor Ewart noted the flooding risk at Yoxford and the situation that the residents had experienced to date. The Interim Joint Head of Planning told the Committee that all new developments were expected to attenuate or infiltrate surface water on the site, so what was released was only released at a greenfield run off rate, meaning no more water than would come off an agricultural or greenfield site. The proposed site had basins, swales, and infiltration opportunities. The Interim Joint Head of Planning noted that the response from the LLFA meant that they were confident that this would not add to existing problems in the area, and this would be further built upon through reserve matters application, adding further conditions for more detailed analysis. The Interim Joint Head of Planning confirmed that at this stage this was a site

designed which meets sustainable urban draining systems and addresses concerns.

Councillor Ewart asked when the attenuation basins would be made. The Interim Joint Head of Planning confirmed that the site had a condition which meant that they would have construction surface water management, meaning interim basins or final basin completed and used in interim way, they added that they were conscious that the site was on a slope, and had bad experiences in the last year, so construction surface water was being looked at, working closely with the County Council.

Councillor Ewart asked if this should have been conditioned right from the outset, the Interim Joint Head of Planning assured the Committee that they were all very concerned about flooding, adding that they had received a satisfactory response from the LLFA which should reassure the Committee that all checks and balances were in place. Councillor Ewart expressed concern with the non signalised crossing and requested that this was thought out.

There being no further questions for the Principal Planner, the Chair invited Councillor Ballantine, Darsham Parish Council, to make to speak.

Councillor Ballantine stated that they represented Darsham Parish Council but considered the views of Yoxford and Westleton Parish Councils. Councillor Ballantine outlined the following concerns to the Committee. Their main concerns were with the A12 as it was a major arterial road, adding although highways had specified a signal point across the A12, they considered it to be inherently unsafe. Their original submission suggested a pedestrian cycle bridge across the A12, but they were told it was too expensive. The proposed crossing point was north of the road junction with Westleton road, which was a busy road, leading to the farm shop and caravan site, it was extremely narrow in places with no footpath or lighting. The crossing point would be on an unlit section of road which comes from a lit 30 mile an hour zone, through an S bend into a 40 mph zone, just north of a bend where a head on collision took place recently. The other proposed crossing was to the north of the development and not signalled and on a hilltop. The proposed joint pedestrian/cycle footpath was inadequate for any parents wishing to walk their children to school and for any people wishing to walk or cycle to Darsham station. In the winter months this would result in walking in the dark with their backs to the traffic. If people use cars this could lead to an extra 1000 traffic movements in and out of the site each day with all of these wishing to access the A12. Sizewell park and ride or Cockfield Hall appeared to not be taken into account. The Sizewell Traffic Forum held on 8th May stated there were currently 15000 traffic movements a day across the Darsham crossing, this number would only increase in the future. It was currently very difficult to turn right from Westleton road, and there appeared to be no amendments to that junction. This Section of road was liable to frequent flooding and overflow from sewage which runs into people's housing. The nearest shop would be Budgens, anyone wishing to use that would have to cross the A12 twice. The housing mix in particular blocks of flats were out of place and would be visible from the A12. Although electric charging points had now been added there was still no compulsion to install solar panels. The area was not well served by services such as Doctors.

The Chair invited questions from the Committee to Councillor Ballantine

In response to a question from Councillor Pitchers regarding the proposed changes to the footpaths and cycle ways, Councillor Ballantine confirmed they were unacceptable as they would be too close to the road with the volume of traffic that passes along the A12.

In response to a question from Councillor Ewart, Councillor Ballantine stated that some children go to school in Yoxford and others use schools that parent can drive to. Following a discussion regarding where the children get on the bus, it was agreed that they use the layby proposed to be shortened.

There being no further questions, the Chair invited the applicant, Richard Martin to make their representation.

Mr Martin told the Committee that the application started in 2019 when the local plan was progressing with the site as an emerging allocation. Following completion of the technical studies, extensive pre-application discussions took place with officers in 2020/21 during which time the local plan was adopted. The applicants carried out public consultation with local residents as well as Darsham Parish Council and the neighbouring councils in Yoxford and Westleton. Mr Martin stated that the planning application was submitted in August 21, with significant changes being made following submission, in response to feedback from technical consultees. Mr Martin confirmed that positive engagement occurred throughout to ensure the application came to committee having addressed the additional requirements in respect of highways, drainage, landscape and heritage and archaeology. The Section 106 agreement had been drafted and secured contributions towards secondary school transport and Rams with other financial matters covered by CIL. To summarise, Mr Martin confirmed that the development would provide 110 plan led homes including 36 affordable homes, 6 self build plots, 2 new crossing plans, children's play space and biodiversity net-gain. The economic developments were stated as CIL receipts, job creation, support for local business. Mr Martin confirmed that the application, whilst in outline form, met high standards with the detail being developed through a future reserve matters application. Mr Martin told the committee that the proposals represented sustainable development in accordance with the adopted local plan.

The Chair invited questions to the applicant. Councillor Smithson asked about sustainable building, noting the properties mortgageable life and how it should be a given that the highest standards of building regulations are adhered to. The applicant confirmed that this was an outline application and this would all be covered within the detail of the reserve matters application. Continuing this theme, Councillor Graham sought confirmation that the building regulations would not simply be complied with but that they would go above. The applicant confirmed that they could not answer that as they were the promoter and not the builder, adding that they imagined it would be the case.

The applicant confirmed that there was provision for affordable housing agreed within the section 106 agreement, with a 70/30 split – 70 relating to rent and 30 relating to ownership.

There was a discussion regarding the proposed changes of the A12 regarding Sizewell and how these were factored into the development as it didn't appear clear from the

reports. The applicant confirmed that the application had been worked through with Highway Engineers, who produced the road safety audit, which was then independently verified and signed off by Suffolk County Council.

The applicant confirmed that they had employed consultants to carry out site specific transport assessments which would have embodied all of the planned highway changes regarding Sizewell C. The applicant confirmed that they were the promoter and they didn't own the land.

There being no further questions for the applicant, the Chair invited the Councillor Ashton, Ward Councillor to speak.

Councillor Ashton described in detail to the committee the proposed cycling/walking route, outlining the challenges faced and in some cases the areas where it was not possible to mitigate due to the narrow nature of the paths. Councillor Ashton noted the housing challenges faced in the area, particularly with the forthcoming Sizewell C developments, which had the risk of consuming all private rental sector housing and holiday lets for workers. Councillor Ashton added that the following needed to be addressed:

- Northern crossing should have a refuge.
- Crossing needed near the petrol station. Not in deeds of obligation, and something that ought to be added on to Sizewell C application.
- Concern over bungalows on the site, due to potential clientele and remote site nature.

Councillor Ashton listed the following priorities to be addressed in order of importance for mitigating the cycle/walking route:

1. Width of pavement in Yoxford on 12 near A1120 junction
2. The pavement on the A12 near Cockfield Hall
3. Lack of refuge on the northern crossing
4. Lack of signalisation on the southern road

The Chair invited questions to Councillor Ashton, Ward Councillor. There was a discussion regarding the challenges of turning right on to the A12 from the Westleton road, Councillor Ashton referred to the Highways assessment carried out. Responding to whether there should be more data/information on emissions and traffic management, the Committee was referred to the work carried out by the County Council officers and the additional analysis that had been carried out by them through the Sizewell C work.

In response to Councillor Pitchers, Councillor Ashton confirmed that they had always been concerned about the remoteness of the site as it was creating a new settlement that isn't close enough to Yoxford or Darsham. Councillor Pitchers, noted the benefit of the new houses, however the biggest concern remained as the mitigation of the cycling/walking route. An alternative route could be a footpath through Cockfield Hall, but this had not been brought forward and had a heritage impact. There was a discussion regarding land ownership, in particular in the areas where the path/cycle route couldn't be widened, and it was confirmed that the constraints were where the

land was not owned by highways.

There being no further questions, the Chair invited the Committee to debate the application before them.

Councillor Pitchers questioned whether the application should be deferred given the balance of views they had heard. The Interim Joint Head of Planning confirmed that it was a possibility to defer if the Committee felt there were further considerations. The Interim Joint Head of Planning confirmed that there had been expert consideration given to the ability to accommodate a cycling/walking route by Highways. Noting the areas where the width was smaller were discussed and due to the context and the forward visibility it was felt that they met the highways acceptable standard. The Lead LFA and Highways had all been consulted with non-objection responses.

In response to the Chair, the Interim Joint Head of Planning confirmed that the Highway improvements for the application ended at the junction into Yoxford. The road safety audit recommended there should be safe measures implemented to ensure that they can dismount or that they can return to the highway as a cyclist.

Councillor Ashdown asked whether District CIL Funding could be used to fund the mitigation for Yoxford. The Interim Joint Head of Planning confirmed it was a possibility and referred to the Council's new cycling, walking and wheeling working group which would be proactively looking at these issues and collaborative use of CIL funding with district and parish councils.

Councillor Smithson referred to the possibility of Sizewell supporting with funding to mitigate the proposed crossing and ensuring it was signalled rather than just a pedestrian crossing. The Interim Joint Head of Planning noted there was potential for Sizewell's funding to be used collaboratively alongside CIL. Adding, although not guaranteed it was expected that the places most affected would be the first port of call for investment in infrastructure.

The possibility of pausing the application was raised whilst mitigation was considered. The Interim Joint Head of Planning advised the Committee to judge the application as it was before them today, noting it had been in the system for a long time with all statutory consultees satisfied.

There was a discussion regarding the possibility of the extension of the of the 30 mph zone through Yoxford. The Interim Joint Head of Planning confirmed that it was not clear what had been secured from Sizewell C as part of speed reductions.

Councillor Ewart referred to the A12 corridor and the challenges of making a decision on something that is fluid. The Interim Joint Head of Planning confirmed that Sizewell C proposals had been factored in to all allocations within the local plan. Qualifying the point regarding the location of the crossing, the Interim Joint Head of Planning confirmed that when you get to the detailed design stage section 278 agreement with the highway authority, they would be approving that the crossing needed to be provided in accordance with plans but subject to tweaks by highways. This technical detail was not expected to be signed off at planning application stage.

Councillor Ashdown noted that the Committee had received a very detailed report and there had been lots of questions and answers heard from ward members; on balance they felt they should approve this application. They added there would be mitigation coming forward and varying sources of funding to come in the future to assist with this, as it was an outline application they hoped to see reserve matters back before the Committee. Councillor Ashdown recommended approval.

Councillor Pitchers added having listened to all that had happened and the favourable experts' opinions, noting they were looking at the application before them and not taking into account Sizewell C or other developments, they could not see any grounds to refuse it and seconded the proposal.

Councillor Graham recognised that it had been agreed in the local plan, but added it seemed a bad decision to allocate as a settlement area as development was not going to be integrated with other communities, therefore not fulfilling policies 2.2 and 7.1 , with measures not encouraging people to travel actively, and it would remain a car dependent site. Should the application go ahead, they would like to see significant improvements with this.

Councillor Smithson concurred with Councillor Graham, requesting if it was possible to implement approve subject to improvements cycling and walking routes. The Interim Joint Head of Planning confirmed that this was not possible as the application was for outline with access included and so had to be considered as that. They noted that should a recommendation of refusal be considered, then this would require sound policy reasons to substantiate it, recognising the Highway's Authority professional opinion.

The Chair reassured the Committee that the agent and planning officers were listening to the debate and would be considering all that has been said today.

Councillor Graham, questioned if a condition for a mid-point (refuge) in the crossing could be added and whether there was room for lighting to be put along the stretch. The Principal Planner confirmed the signalised crossing would have to be lit. The Interim Joint Head of Planning referred to the plans for the crossings, adding if there was the potential to then it would have been designed in following the Highways considerations.

Councillor Ewart felt that the application was not as thorough as it should be and would not be voting for. Councillor Wakelin felt that the community had been separated and isolated and was uncomfortable with the two crossings, one which was not signalled and therefore would be refusing.

There being no further debate, the Chair sought a proposer and seconder for the recommendation to approve the application, as set out in the report. On the proposition of Councillor Ashdown, seconded by Councillor Pitchers, it was by the Chair's casting vote

RESOLVED

That the application be APPROVED subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

2. Details of the layout, design and external appearance of the buildings, and the landscaping of the site (herein called the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced. Development shall be carried out in accordance with the approved details.

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

3. A reserved matters application/s pursuant to this outline application shall provide for up to 110 dwellings and demonstrate substantial compliance with the Framework Plan (Drwg. No. 90-04 Rev A).

Reason: To ensure an attractive and high quality design of the development.

4. Any reserved matters application shall demonstrate broad compliance with Section 5 of the Design and Access Statement Revision F, February 2022, and design intent reflected on pages 48 and 49 (Southern Hamlet); 50 and 51 (open spaces) and pages 52 and 53 (Northern Reach).

Reason: The development needs to be sympathetic to the setting of the Grade I listed Cockfield Hall and the setting of Yoxford Conservation Area and therefore it is necessary to establish development parameters to ensure high quality design in any future reserved matters application.

5. Concurrent with the submission of the first reserved matters application, a site-wide phasing plan shall be submitted to and approved by the local planning authority. Thereafter, the development shall be undertaken in accordance with the approved plan.

Reason: To ensure that the works are completed in an appropriate order, and for the purposes of Community Infrastructure Levy (CIL) collection requirements.

6. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in broad accordance with drawing no. 1392_HWY_002. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

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

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose (or) 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 stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. 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) Layout of facilities above to be included on a plan.

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.

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

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

10. 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.

11. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details.

Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public

12. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points 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: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.

13. Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points 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 (or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

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 (2023) where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety.

14. Before [the development is commenced / any building is constructed above ground floor slab level] details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.(or for dwellings) The approved scheme shall be implemented for each

dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2023).

15. Prior to the first occupation of the new development the highway improvements detailed on submitted drawing numbers 1392/HWY/001 A to 1392/HWY/010 , shall be carried out in complete accordance with the approved drawing. The works include, upgraded footways to 3m cycleways with at least 0.5m buffer from carriageway where possible between Yoxford village and Darsham Train Station, crossing points across A12 (lit to safety audit requirements) and junctions improvements.

Reason: To promote and facilitate access to sustainable transport modes and to provide safe and suitable access for all users in accordance with National Planning Policy Framework (Dec 2023) Para. 114 and Para. 116.

16. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

17. No part of the development shall be commenced until details of the proposed off-site highway improvements to include a formal signalised crossing of the A12 have been submitted to and approved in writing by the Local Planning Authority and SCC as the local highway 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 includes safe routes to schools and is required to safely cross children to access schools and use sustainable transport modes.

18. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1392_HWY_002 with an X dimension of 2.4 metres and a Y dimension of 90m metres [tangential 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.

19. No development above ground floor slab level of any part of the development hereby permitted shall take place until the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan in accordance with the mitigation measures identified in the Transport Assessment, and Highway Authority response shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan must contain the following:

- Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met

- Appointment of Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan

- A commitment to monitor the vehicular trips generated by the residents using traffic counters and resident questionnaires and submit a revised (or Full) Travel Plan on occupation of the 100th dwelling

- A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring

- A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process

- A Travel Plan budget that covers the full implementation of the Travel Plan

- A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

Reason: In the interest of sustainable development as set out in the NPPF, and Policy SCLP7.1.

20. Concurrent with the submission of the first reserved matters application, a housing mix strategy shall be submitted to and approved in writing by the local planning authority, in order to demonstrate how the proposed development will deliver an appropriate mix of dwellings across the development.

Reason: To ensure the development provides a mix of housing in accordance with policy SCLP5.8 (Housing Mix) of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

21. 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 Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

22. 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 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

23. 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-flood-risk/construction-surface-water-management-plan/>

24. 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-asset-register/>

25. 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.

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

- a. parking and turning areas for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. provision and use of wheel washing facilities;

- e. provision of boundary hoarding and lighting;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h. delivery, demolition and construction working hours.

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

Reason: In the interest of local amenity and protection of the environment during construction.

27. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute recommendation "BS5837:2012 Trees in relation to design, demolition and construction - Recommendations"

Reason: In the interests of visual amenity and the character and appearance of the area.

28. The approved landscaping scheme (as approved by Condition 27) shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

29. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development.

30. The hereby approved development shall include a provision for 50% of all dwellings to meet the requirements of M4(2) (or M4(3)) of the Building Regulations. Concurrent with each reserved matters application, details shall be provided specifying which dwelling(s) are M4(2) (or M4(3)) compliant and thereafter constructed in accordance with regulation requirements.

Reason: To ensure the development provides accessible and adaptable dwellings in accordance with Policy SCLP5.8 of the East Suffolk Council - Suffolk Coastal

Local Plan (2020).

31. Concurrent with each reserved matters application, a sustainability statement which demonstrates that sustainable construction methods have been incorporated into the development proposal, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: In accordance with sustainable construction objectives of Policy SCLP9.2 of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

32. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Geosphere Environmental, July 2021); the Bat Scoping and Activity Survey Report (Geosphere Environmental, July 2021); the Biodiversity Net Gain Calculation Report (Geosphere Environmental, August 2021) and the Shadow Habitats Regulations Assessment (sHRA) (Scott Properties, August 2021) 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.

33. No removal of hedgerows, trees or shrubs 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.

34. Commensurate with first Reserved Matters Application, a "lighting design strategy for biodiversity" for the site 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.

35. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

36. Commensurate with the first 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.

37. The Reserved Matters Application(s) must include an up to date ecological assessment of the site. The approved ecological measures secured through Condition 32 shall be reviewed and, where necessary, amended and updated in line with the up to date assessment. 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 protected or UK Priority habitats and species 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.

38. Prior to the commencement of the use, the noise mitigation measures/construction methods will be implemented in accordance with the noise assessment 65203079-SWE-ZZ-XX-YA-0001 as has been submitted to and approved by the Local Planning Authority. Only the approved scheme shall be implemented and shall be retained thereafter.

Reason: In the interest of residential amenity, in accordance with policy SCLP11.2 (Residential Amenity) of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

39. Concurrent with the submission of the first reserved matters application, details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to, and approved in writing by, the local planning authority. Thereafter, no occupation or use of the development shall take place until the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area, and to satisfactorily protect the residential amenities of nearby/future occupiers.

40. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented in its entirety prior to the occupation of the building. It shall thereafter be retained and maintained in its improved form.

Reason: In the interests of the safety of the future occupants of the hereby approved development.

7 DC/24/0695/FUL - Darsham Village Hall, Cheyney Green, Darsham, IP17 3FA

The Committee received report ES/1948 of the Interim Joint Head of Planning which related to planning application DC/24/0695/FUL.

The application sought planning permission for the creation of a play area measuring

180sqm to the side of Darsham Village Hall. The application was before the Committee following the referral panel at the ward member's request due to the varying opinions within the Parish.

The Committee received a presentation from the Principal Planner who was the case officer for the application. The site's location plan and an aerial photograph were shared with the Committee.

Various site photographs were shown, highlighting the views into and from the proposed play area and the houses in the surrounding area. The Principal Planner noted the walkway in close proximity to the residential properties.

It was noted that this area was always earmarked for a play area and although details of the play area were not approved within the reserve matters application a financial contribution was secured. One of the main concerns raised was that the area allocated as a local area for play on the plans was 105sqm which is smaller than the proposed 180sqm.

The proposed layout of the play equipment was displayed and the Principal Planner highlighted the main concern was with one piece of equipment particularly due to the size, scale and impact and the age of the children potentially using it.

The application also proposed hedging around the main boundary and a pedestrian access at the end of the main cul-de-sac.

The guidance in terms of the distance required between play equipment and residential properties was shared and the Principal Planner confirmed that the Council's sport and leisure team had reviewed it and considered it to be a LAP (local area for play).

Illustration of the play equipment were shared with the Committee and the material planning considerations were summarised as principle of development, design and visual impact and impact on residential amenity.

The recommendation to approve the application, as detailed in the report, was outlined to the Committee.

The Chair invited questions from the Committee.

In response to Councillor Smithson, the Principal Planner confirmed that the roundabout and swing were accessible.

In response to Councillor Ashton, the Principal Planner confirmed that the application was for the equipment demonstrated and this would be the equipment that would be required to be installed.

There being no further questions, the Chair invited Mr Meggison, objector, to speak.

Mr Meggison, objector, read out the following statement:

“We are in support of a play area for the village. We are not, however, in support of this application due to the increase in size and scale from the plans from which the residents bought their houses, and also because this application does not comply with the National and East Suffolk Councils guidelines with regard to the siting and make up of play areas.

This application is now apparently for a LAP – a Local Area for Play.

A LAP is for accompanied children aged 4 – 6 with small equipment, ‘discouraging use by older children’ and for use by children within one minutes walk from home – this comes from East Suffolk Council’s very own adopted Supplementary Planning Guidance, SPG 15, - meaning it is a material consideration when making planning decisions. However, several items of equipment in this application are for children up to the age of 12 and 14.

Fields in Trust are the national authority for playground guidelines. SPG15 was based on their guidance. Fields in Trust have told us that it is the age range of the equipment, not the size of the area that determines whether a play area is classified as a LAP, LEAP or NEAP.

LEAPs are for children up to 8 with a minimum buffer zone of 20 metres. NEAPs are for children up to 14 with a buffer zone of 30 metres.

We asked Fields in Trust “if a play area of 200 sqm has equipment aimed at older children does it then become a 'NEAP', regardless of its size?” The answer was categorically ‘yes’. I have the email to prove it. This application has various items of equipment for children up to 14.

The case officers report states: “The proposed play tower, while it is of a noticeable height, would not be so large as to adversely impact on outlook from the windows of neighbouring properties.”

Yes, it is most certainly of noticeable height – it is 3.65 metres tall. How much bigger would it have to be before it would adversely impact on outlook?! This tower will enable users to look straight through our lounge window, not from street level but from a raised platform.

In addition, the proposed basket swing is also aimed at children up to 14 and SPG15 actually states ‘Young teenagers prefer large group swings’.

The required buffer zone is not in compliance with the guidance because there is effectively no buffer zone, just an area of meadow grass that will become an extension of the play area right up to the boundary fence affecting the residential amenity of residents.

We cannot believe the officers report is recommending approval in total disregard of SPG 15. You cannot recommend approval for a play area just because a village doesn’t have one and you think it would be a good idea.

The council has guidelines for building play areas for very good reason, to protect residents living close by as well as providing good play facilities, so surely they must be followed.

We would ask that you reject this proposal and suggest that the Village Hall Committee actually consult the nearby residents to achieve a compromise.”

The Chair invited questions to Mr Meggison.

Councillor Ashton asked for clarification on the buffer zone and why it was problematic. Mr Meggison confirmed it didn't comply with guidance as there was no buffer zone due to it being meadow grass, adding it would just be an extension of the play area with children playing up to the fence.

Councillor Smithson asked if Mr Meggison objected to the play area or were they wanting a play area for children up to age 6. Mr Meggison confirmed they were not against it and the play area could have been more suitable situated in the middle of the village green. Mr Meggison added the buffer zone should be there to protect residential amenity.

Councillor Graham asked if they would be happier if the play area contained equipment for younger children. Mr Meggison confirmed they would they bought the house knowing there would be a LAP and were happy with it but the plans were now for equipment for children of up to 14 years of age, which was unfair for the residents of Cheyney Green.

Councillor Smithson noted that all new play areas should have some form of accessible equipment and understood that older children using younger children's equipment is a nuisance, however they questioned what there was for the young teenagers in the village. Mr Meggison agreed there wasn't anything for them in the village, however he was representing the residents of Cheyney Green and questioned why the village green location wasn't suggested. In response the Chair confirmed that the Committee had to consider the application that was in front of them and decide.

There being no further questions, the Chair invited Heather Ballantine of Darsham Village Hall Management Committee to speak.

Heather Ballantine told the Committee that the village of Darsham had doubled in size in the past ten years and as part of that growth they now have 30 children in the village which they didn't have earlier. The management committee has responsibility of organising activities from the village and as part of the new village hall, a play area was part of the designs for Cheyney Green. The developer declined to provide this and elected to provide Section 106 funding for the village to access. Committee have taken on responsibility of play area. Carried out a village wide consultation to obtain planning permission. A working group was set up but it was not functioning as it should despite interventions so it was taken back into control of the Darsham Village Hall Management Committee who looked at best value for money accessing public funding. Two sizes were put forward and this shared with whole village. This is done by whole village consultation for the size of the area and the suggested landscaping and planting plan was shared with the residents of Cheyney Green. The majority of consultees were in favour of the larger area, before suggesting this was an option the 20 metre rule for the play area was marked out and seemed to be a possibility. Fields in Trust have been consulted and consider the play area to be a LAP. The specification for the age range 4-8 were sent to several companies and the plans shared at an open

evening for whole village to attend. All comments were taken into account and the final specification was sent to the preferred supplier. In reference to the objection of the size of the tower, Heather Ballantine stated that the actual platform was 1.5m and not 3.65m as stated. The tower is enclosed at a height of 2.7m with a distance of 33m from the tower to 16 Cheyney Green, meaning overlooking is not the material consideration it was made to be. The meadow grass idea came from villagers and would be used to educate children on the environment. The majority of families with small children support the play area. In summary taken planning advice, consulted with community, followed outdoor play area advice, looked to provide a play area that has a sports element as well as accessibility for those children that need it. The committee had looked to provide the most suitable sustainable solution that meets the needs of the village.

The Chair invited questions to Heather Ballantine.

Councillor Ashton stated the soil in Darsham was extremely heavy clay and therefore aware of the challenges, asking was the location of the village green considered. Heather Ballantine replied that the village green was ex agricultural ground and very uneven so it wasn't a possibility, plus it was on the outline planning permission in the proposed location.

It was confirmed the following accessible play equipment would be installed, floor level roundabout, basket swing and noughts and crosses game.

There being no further questions the Chair invited the Committee to debate the application.

Councillor Ashton in summing up stated that it would have been much more preferable if a solution was found as the application has caused discontinuity. Noting that the objectors didn't object to the principle of the play area but more the location of it. Referring to the objections and potential nuisance from older children, Councillor Ashton understood that it was a risk, and recognised that this could happen from them congregating irrespective of the age range of the equipment installed. Councillor Ashton had visited the area to view the potential of overlooking and confirmed they could not see into the properties, whilst sympathetic, they would support the application.

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

RESOLVED

That the application be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in

accordance with Caloo Product Data Sheet, Elevations E.3 and proposed Block Plan GA1 all received 23 February 2024 and Site Plan received 29 February 2024, 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 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. Within 3 months of commencement of development, satisfactory precise details of the hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

8 DC/24/0415/FUL - Box Bush, Seven Acres Lane, Walberswick, IP18 6UL

Agenda items 8 and 9 were presented jointly.

The Committee received reports ES/1949 and ES/1950 of the Interim Joint Head of Planning which related to planning applications DC/24/0415/FUL and DC/24/0416/LBC.

The applications sought planning permission and listed building consent for a new dormer window, alterations to fenestration and internal layout, general repairs to existing fabric and insulation on external walls and roof. The application was before the Committee to consider the views of the Parish Council.

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

An aerial photograph showing the site in context was shared with the committee along with the site location plan. A series of photographs were shown, highlighting the key proposals and the property's current state. The assistant planner noted that the property was a listed building designed by Jennings built in 1938. The property was listed in 2023.

Proposed internal plans were shown to the Committee along with the existing and proposed elevations. The material planning considerations were summarised as biodiversity, landscape character and design quality, residential amenity and listed building.

The Chair invited questions from the Committee to the Assistant Planner.

Councillor Ashton commented on the intended outside insulation and render which would leave the windows and doors recessed. The Assistant Planner confirmed that the reveals would be deeper on the inside but in line on the outside and not necessarily considered out of character.

In response to a question regarding the internal layout, the assistant planner confirmed that the proposals were to accommodate the client's requirements for alterations to the space.

There being no further questions, the Chair invited Councillor Lewis of Walberswick Parish Council to speak.

Councillor Lewis confirmed all comments related to both the Planning and Listed Building Consent. The current scheme put forward after the building was listed in 2023 proposed more alterations than significantly more loss of fabric than the previous scheme. The changes are stated as minimal but in their opinion they are not and the opinion of the Parish Council, the Suffolk Preservation Society and the 20th Century Society the application meets the criteria for partial demolition under sub-sections A and B of the arrangement for handling heritage applications and Secretary of State England directions 2021. Councillor Lewis stated if the alterations were to go ahead it would no longer meet the criteria for listing and therefore would not be a scheme that proposed or enhanced the property. The loss of listing building status which only occurred one year ago would be a shocking act of architectural vandalism in their view. Councillor Lewis stated that all the consultees had not been consulted with and the report submitted is misleading and has a number of shortcomings. The Parish Council believes that the applicant requires a bat licence as a protected species and that will take many months. The Parish council does not wish to delay the works they just wish the application to be withdrawn and a more sympathetic proposal brought forward. Councillor Lewis stated the Heritage Impact assessment was flawed and did not consider the 1938 Jennings elements.

The Chair invited questions to Councillor Lewis.

It was confirmed the building was Grade II listed. The Senior Design and Heritage Officer confirmed that the 20th Century Society were aware of the application and could have provided comments. They confirmed that they had reviewed the application in full and the significance of this building related mainly to the timber frame, which was all Suffolk salvaged material. The Senior Design and Heritage Officer confirmed the changes were numerous but minor, and the cement render was not original to the building.

There being no further questions, the Chair invited the applicant, Andrew Derrick, to speak.

The applicant told the Committee that he was the author of the Heritage Impact assessment that accompanies the application as well as a historic buildings inspector for 20 years for English Heritage. The Committee were told that the owner wants to improve the building, and the only objection was from the Parish Council. Regarding

the dormer, it was explained the low height over the staircase meant that you have to crouch down, so rather than move stairs a dormer was built. The applicant noted that all of Jennings' qualities would be preserved, and traditional lime render would be applied. The windows will be repaired and reused and flush with the front when reinstalled. The plans were very sympathetic from the outside and the Design and Heritage Officer was very happy with it.

The Chair invited questions to the applicant.

In response to Councillor Pitchers, the applicant confirmed that the alterations would not cause it to be de-listed and everything would improve the building and in the Jennings tradition of recycled building, nothing of any value would be thrown away it would be incorporated.

There being no further questions, the Chair invited the Committee to debate the application.

Councillor Back commented that what was being proposed would ensure the survival of the building, which was important for Walberswick and architecturally, adding he understood that concrete render was not breathable and the lime would secure longevity.

Councillor Ashton had a reservation with the reason for change but was happy to support the proposal.

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

RESOLVED

That the application be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the submitted Design and Access Statement and drawing nos. 204 PL 001, 110,111,115,116 and 120; received 05.02.2024; and revised drawing no. 204 PL 121B; received 08.04.2024; 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. No works to the second floor which may kill, injure or disturb bats or damage or destroy a bat roost, shall in any circumstances commence unless the Local Planning Authority has been provided with either:

a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

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

1. Specification of new roof tiles
2. Full details of the porch
3. Full details of the new fenestration
4. Section through the bathroom ceiling
5. Specification of the bricks for the plinth - panel on site

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

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

9 DC/24/0416/LBC - Box Bush, Seven Acres Lane, Walberswick, IP18 6UL

The presentation for item 9 was minuted jointly with item 8 of the agenda.

There being no questions or debate, the Chair invited the Committee to vote on the listed building application.

On the proposition of Councillor Ashton, seconded by Councillor Smithson it was by a unanimous vote

RESOLVED

That the application be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the submitted Design and Access Statement and drawing nos. 204 PL 001, 110,111,115,116 and 120; received 05.02.2024; and revised drawing no. 204 PL 121B; received 08.04.2024;,, 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. No building work shall commence on each of the items below until details of the following have been submitted to and approved in writing by the local planning authority:

1. Specification of new roof tiles
2. Full details of the porch
3. Full details of the new fenestration
4. Section through the bathroom ceiling
5. Specification of the bricks for the plinth - panel on site

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the

necessary details for consideration.

That the application be APPROVED subject to the following conditions

10 DC/24/0394/ADN - Oulton Country Park, Lime Avenue, Oulton, Suffolk

The Committee received reports ES/1951 of the Interim Joint Head of Planning which related to planning applications DC/24/0394/ADN. The application sought non-illuminated advertisement consent for the erection of a flagpole at Oulton Country Park.

The location plan and aerial photograph of the site was shared with the Committee with the Principal Planner demonstrating the exact location of the flagpole. It was pointed out that the site was owned by the Council and was a really valued asset for the Woods Meadow community and the wider community. The flagpole was to fly the Green Flag which has been awarded to the park and open space. The material planning considerations were summarised as location/appearance and public safety.

The recommendation to approve the application, as detailed in the report, was outlined to the Committee.

There being no questions or debate the Chair invited the Committee to vote on the application.

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

RESOLVED

That the application be APPROVED subject to the following conditions:

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable

satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

3. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

4. The development hereby permitted shall be completed in all respects strictly in accordance with the flagpole location plan and Specification details, 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.

The meeting concluded at 5:25 PM.

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Chair



Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

11 June 2024

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 24 May 2024. At present there are 22 such cases.

Information on all cases has been updated at the time of preparing the report such that the last row in the table for each item shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *7 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *8 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *0 current case*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *0 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *5 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 24 May 2024 be noted.

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

A.1

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022
<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u>	
<p>28/03/2023 –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given.</p> <p>05/07/2023 - appeal against refusal of planning application refused.</p> <p>29/05/2024 – Site visited, compliance unclear/ Further research to determine occupation status.</p>	
<u>Current Status/Position</u>	
In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.2

LPA Enforcement Case Reference	ENF/2018/0476/USE
Location / Address	Part Os 1028 Highgate Lane Dallinghoo
North or South Area	South
Date of Report of Breach	15.11.2018
<u>Nature of Breach:</u> Siting of a converted vehicle for residential use	
<u>Summary timeline of actions on case</u> 11/09/2023 - Enforcement Notice served. Comes into effect on the 11/10/2023 19/03/2024 – Extension of time given until May, due to ground conditions.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	24.05.2024

A.3

LPA Enforcement Case Reference	ENF/22/0038/DEV
Location / Address	The Queen The Street Brandeston
North or South Area	South
Date of Report of Breach	11.02.2022
<u>Nature of Breach:</u> Change of use for the property from public house with ancillary accommodation to an independent residential dwelling.	
<u>Summary timeline of actions on case</u> 11/04/2024 -Enforcement notice served. Comes into effect on the 11/05/2024	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11.05.2025

A.4

LPA Enforcement Case Reference	ENF/21/0538/DEV
Location / Address	Portlight The Ferry Felixstowe
North or South Area	South
Date of Report of Breach	10.12.2021

<u>Nature of Breach:</u> Change of use of two ancillary outbuildings for beauty salon and hairdressers use.	
<u>Summary timeline of actions on case</u> 02/05/2024 -Enforcement notice served. Comes into effect on the 01/06/2024	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	01.09.2024

A.5

LPA Enforcement Case Reference	ENF/23/0234/DEV
Location / Address	Animal Welfare Centre, 333 High Street, Walton
North or South Area	South
Date of Report of Breach	26.07.2023
<u>Nature of Breach:</u> Change of use of animal clinic and boarding facilities to use for storage of furniture, building materials and other associated items with a property development business.	
<u>Summary timeline of actions on case</u> 02/05/2024 -Enforcement notice served. Comes into effect on the 01/06/2024	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	01.10.2024

A.6

LPA Enforcement Case Reference	ENF/21/0415/MULTI
Location / Address	243 London Road South, Lowestoft
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Installation of new shopfront, roller shutter, surface mounted box and illuminated advertisement.	
<u>Summary timeline of actions on case</u> 02/05/2024 -Enforcement notice served. Comes into effect on the 01/06/2024	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	01.12.2024

A.7

LPA Enforcement Case Reference	ENF/23/0341/COND
Location / Address	12 Benhall Green, Benhall
North or South Area	North
Date of Report of Breach	29.09.2023
Nature of Breach: Breach of condition 3 of DC/21/4955/FUL, use of studio as a holiday let.	
Summary timeline of actions on case 16/05/2024 -Breach of Condition Notice served. Comes into effect on the 16/05/2024	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	16.08.2024

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal

B.1

LPA Enforcement Case Reference	ENF/20/0131/LISTL
Location / Address	6 Upper Olland Street, Bungay
North or South Area	North
Date of Report of Breach	15.04.2020
Nature of Breach: Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
Summary timeline of actions on case 17/03/2022 - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance. 19/04/2022 - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116 07/06/2022 – Statement submitted 28/06/2022 – final comments due.	
Current Status/Position Awaiting Planning Inspectorate Appeal Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.2

LPA Enforcement Case Reference	ENF/21/0121/USE
Location / Address	The Pastures, The Street, North Cove
North or South Area	North

Date of Report of Breach	17.03.2021
Nature of Breach: Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
Summary timeline of actions on case 03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance 14/11/2022 - Pre-start letter from Planning Inspectorate 14/12/2022 - Appeal started. Written Representations Process, statement due by 6 th February 2023. PINS Reference APP/X3540/C/22/3312353	
Current Status/Position Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.3

LPA Enforcement Case Reference	ENF/21/0201/DEV
Location / Address	39 Foxglove End, Leiston
North or South Area	North
Date of Report of Breach	26.04.2021
Nature of Breach: Artificial hedge, support structure and fencing which is over 2m in height	
Summary timeline of actions on case 28/11/2022 – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance 09/01/2023 - Pre-start letter from Planning Inspectorate 09/01/2024 - Start letter received from Planning Inspectorate, statements required by 20 th February 2024.	
Current Status/Position Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.4

LPA Enforcement Case Reference	ENF/22/0158/DEV
Location / Address	11 Wharton Street, Bungay
North or South Area	North
Date of Report of Breach	20.05.2022

Nature of Breach: Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
Summary timeline of actions on case 28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023 . 3 months for compliance 09/01/2023 – Pre-start letter from Planning Inspectorate 31/01/2023 –Start letter received from Planning Inspectorate, statements required by 14 th March 2023.	
Current Status/Position Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.5

LPA Enforcement Case Reference	ENF/21/0006/DEV
Location / Address	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
North or South Area	South
Date of Report of Breach	06.01.2021
Nature of Breach: Erection of large fence	
Summary timeline of actions on case 08/08/2023 –Enforcement Notice served. Comes into effect on the 08/09/2023 18/10/2023 - Appeal submitted, statements due 29 th November 2023.	
Current Status/Position Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.6

LPA Enforcement Case Reference	ENF/22/0247/USE
Location / Address	Part Land East Of Mariawood, Hulver Street, Henstead
North or South Area	North
Date of Report of Breach	15.11.2018
Nature of Breach: Siting of mobile home	
Summary timeline of actions on case 21/09/2023 –Enforcement Notice served. Comes into effect on the 21/10/2023 23/10/2023 - Appeal submitted, awaiting start letter.	

05/01/2024 - Start letter received from Planning Inspectorate, statements required by 15 th February 2024.	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.7

LPA Enforcement Case Reference	ENF/23/0129/USE
Location / Address	88 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	28.04.2023
<u>Nature of Breach:</u> Residential property split into two flats and used for holiday use	
<u>Summary timeline of actions on case</u> 19/03/2024 - Enforcement Notice served. Comes into effect on the 19/04/2024 11/04/2024 – Appeal submitted.	
<u>Current Status/Position</u> Awaiting appeal start date.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.8

LPA Enforcement Case Reference	ENF/23/0163/DEV
Location / Address	12 Holland Road, Felixstowe
North or South Area	South
Date of Report of Breach	26.05.2023
<u>Nature of Breach:</u> Erection of a ground floor extension and air conditioning unit.	
<u>Summary timeline of actions on case</u> 26/03/2024 - Enforcement Notice served. Comes into effect on the 25/04/2024 29/04/2024 – Appeal submitted. Statement due by 20 th June	
<u>Current Status/Position</u> Awaiting appeal start date.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period.**

D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.

D.1

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due. 11/09/2023 - Appeal dismissed. 4 months for compliance. 15/01/2024 - Site visit, partial compliance, use ceased and mobile home removed. 3 month extension given to remove remaining development. 29/05/2024 - No compliance with removal of outbuilding, access or driveway - Case referred Legal for further action.	
<u>Current Status/Position</u> Passed to the Legal Team.	
Date by which Compliance expected (or prosecution date)	17/04/2024

- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action**

F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.

F.1

LPA Enforcement Case Reference	EN08/0264 & ENF/2013/0191
Location / Address	Pine Lodge Caravan Park, Hazels Lane, Hinton
North or South Area	North
Date of Report of Breach	20.10.2008
Nature of Breach:	
Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	
<p>15/10/2010 – Enforcement Notice served 08/02/2010 - Appeal received 10/11/2010 - Appeal dismissed 25/06/2013 - Three Planning applications received 06/11/2013 – The three applications refused at Planning Committee. 13/12/2013 - Appeal Lodged 21/03/2014 – Enforcement Notices served and became effective on 24/04/2014 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. 10/11/2015 – Informal hearing held 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. 21/04/2017 - Trial date. Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. 21/11/2017 – Mobile home and steps removed from site. Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered.</p>	

<p>11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <p>01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p>13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p>04/02/2019 – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p>26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p>27/03/2019 - High Court hearing, the case was adjourned until the 03/04/2019</p> <p>03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</p> <p>11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p>07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</p> <p>05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p>28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</p>	
<p><u>Current Status/Position</u> Site visited. Case currently with the Council’s Legal Team for assessment. Charging orders have been placed on the land to recover costs.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent upon potential Legal Process</p>

F.2

LPA Enforcement Case Reference	ENF/2017/0170/USE
Location / Address	Land Adj to Oak Spring, The Street, Darsham
North or South Area	North
Date of Report of Breach	11.05.2017
<p><u>Nature of Breach:</u> Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><u>Summary timeline of actions on case</u> 16/11/2017 – Authorisation given to serve Enforcement Notice. 22/02/2018 – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted.</p>	

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>25/07/2023-Site Visit conducted; injunction not complied with. Information sent to legal team.</p> <p>22/02/2024 -Site visit conducted, required by the Legal Team.</p>	
<p><u>Current Status/Position</u> With Legal Team to take further action under the TCPA 1990.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</p>

F.3

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<p><u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)</p>	
<p><u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

<p>25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.</p> <p>19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30th January 2023.</p> <p>30/01/2023- Court over listed and therefore case relisted for 27th March 2023</p> <p>27/03/2023- Defendant did not attend, warrant issued, awaiting decision from court.</p> <p>31/07/2023- Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.</p>	
<p><u>Current Status/Position</u> Considering legal options under the TCPA 1990, following court appearance</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Depending on legal advice</p>

F.4

<p>LPA Enforcement Case Reference</p>	<p>ENF/21/0441/SEC215</p>
<p>Location / Address</p>	<p>28 Brick Kiln Avenue, Beccles</p>
<p>North or South Area</p>	<p>North</p>
<p>Date of Report of Breach</p>	<p>29.09.2021</p>
<p><u>Nature of Breach:</u> Untidy site</p>	
<p><u>Summary timeline of actions on case</u> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p> <p>23/10/2023- Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15th January 2024.</p> <p>15/01/2024- Court appearance for prosecution for a second time for failing to comply with a Section 215 Notice. The defendant pleaded guilty and was fined a total of £1,100. The defendant has improved the condition of the site but not fully complied the notice.</p> </p>	
<p><u>Current Status/Position</u> Considering further options.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent on further discussions.</p>

F.5

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action. 23/10/2023 - Court found defendant guilty and fined a total of £4400. 11/11/2023 - Further compliance date set for 11 th January 2024. 15/01/2024 - Site visited, notice not complied with, case has been passed to the legal team to make a decision on what further action should be taken under the TCPA 1990.	
<u>Current Status/Position</u> With Legal Team	
Date by which Compliance expected (or prosecution date)	Depending on legal advice

G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue

G.1

LPA Enforcement Case Reference	ENF/2015/0279/DEV
Location / Address	Land at Dam Lane Kessingland
North or South Area	North
Date of Report of Breach	22/09/2015
<p><u>Nature of Breach:</u> Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.</p>	
<p><u>Summary timeline of actions on case</u> 22/09/2015 - Initial complaint logged by parish. 08/12/2016 - Case was reopened following further information 01/03/2017 - Retrospective app received. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. 05/09/2018 - Notice served by recorded delivery. 18/06/2019 - Appeal started. PINS Reference APP/T3535/C/18/3211982 24/07/2019 – Appeal Statement Submitted 05/02/2020 - Appeal dismissed. Compliance with both Notices by 05/08/2020 03/03/2021 - Court hearing in relation to structures and fencing/gates Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. 30/04/2021 - Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. 04/05/2021 - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed 13/08/2021 - Site visited and all structures had removed from the site, but lake remains</p>	
<p><u>Current Status/Position</u> On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.</p>	

Date by which Compliance expected (or prosecution date)	31/12/2024
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Committee Report

Planning committee – 11 June 2024

Application no DC/22/4993/FUL

Location

Land North Of
Union Lane
Oulton
Suffolk

Expiry date 23 March 2023

Application type Full Application

Applicant Oldman Homes

Parish Oulton

Proposal A phased development comprising: Hybrid Planning Application for: (i) Full planning application for demolition of existing buildings and erection of 45 residential dwellings (Class C3), creation of new pedestrian and vehicle access, hard and soft landscaping and other associated works (ii) Outline Application for up to 87 residential dwellings (Class C3) with all matters reserved for future determination except access.

Case Officer Matthew Gee
01502 523021
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. The application is a phased hybrid development comprising: a full planning application for the erection of 45 residential dwellings and associated works; and an Outline Application for up to 87 residential dwellings (with all matters reserved aside from access) and associated works. The application also includes the creation of a footpath along the western side of Parkhill running from the application site to the corner of Parkhill and Union Lane.
- 1.2. No comment has been received from the Parish Council (despite officers following up with the Parish Council to check if they wish to comment on the application) and there are no outstanding objections from consultees.
- 1.3. The scheme details an acceptable residential development of this planned, allocated site and will help meet the District housing need identified by the (Waveney) Local Plan. The proposal is in accordance with the Development Plan and there are no material considerations to indicate for a decision other than approval.
- 1.4. The application has been referred to Planning Committee (North) via the Head of Planning, Building Control and Coastal Management due to the scale of the proposed development, and that the site has also been subject of a high-level development brief through the Planning Policy and Delivery process.

2. Site Description

- 2.1. The application site is located on land to the north of Union Lane, on the northern edge of Oulton. The site is bound by residential properties, a care facility and Union Lane to the south; the B1375 to the east; and open fields to the north and west.
- 2.2. The site was formerly used as a hospital and a workhouse, with an associated burial site located in the northwest corner of the site. There are sewage filter beds in the western part of the site and cropmarks to the north, west and southwest.
- 2.3. The site is approximately 5.7 hectares in size, with the land sloping down towards the western edge, then sloping back up beyond site boundary. The site comprises derelict building on the southwestern extent of the site; storage of building materials and equipment; and a historic Burial Ground to the northwest area of the site which appears to have been used in connection with the former Lothingland Hospital. The eastern area of the site comprises mainly of trees and open space which is currently in a largely overgrown state, with WWII defence ditches and features in the further eastern areas of the site. There are several large freestanding trees located on the site, none of which are protected by Tree Preservation Orders (TPO).
- 2.4. The immediate built environment comprises a mix of one, two and three storey dwellings of a semi-detached and detached nature. Single storey dwellings can be found adjacent to the site along Airey Close. Surrounding dwellings generally front onto their associated streets rather than onto the site.
- 2.5. Two Grade II listed buildings are located 15 metres east of the site on the opposite side to the B1375. The principal elevations of these listed buildings face onto the application site.

- 2.6. There are currently no footpaths, Public Rights of Way, or Cycle routes that directly link to the application site, with the primary current access points being vehicular accesses off the B1375 and from Union Lane; although there are several footpaths located close to the south western and north boundaries of the application site. The nearest bus stops are located approximately 0.3 miles south and 0.5 miles north of the site along Parkhill (B1375). Oulton Broad North railway station is located 1.5 miles to the south.

3. Proposal

- 3.1. Planning permission is sought for a phased hybrid development comprising: a Full application; and an Outline application, in combination providing for the comprehensive redevelopment of the site to deliver up to 132 residential (C3) dwellings.

- 3.2. The Full portion of the application comprises:

- Erection of 45 Residential dwellings
- Creation of a new pedestrian and vehicle access
- Hard and soft Landscaping
- Pumping station
- Playground
- Footpath along B1375 to connect to existing footpath
- Improvement works at the junction of B1375, Union Lane and Oulton Road North
- Footway connection north to existing Public Rights of Way network.
- Attenuation basin
- Associated works

- 3.3. The outline (with all matters except access reserved) portion of the application comprises:

- Up to 87 residential dwellings (including 4 affordable units and 7 custom/self-build plots)
- Attenuation basin
- Playground
- Open space
- Hard and soft Landscaping
- Emergency access point and pedestrian access from union lane
- Associated works

4. Consultations

Third Party Representations

- 4.1. Two representations have been made, raising the following concerns (inter alia):

- Highway safety
- Impact upon Heritage Assets
- Increased flood risk
- Water pressure
- Pedestrian safety
- Impact from construction
- Light pollution

- Impact on views and outlook
- Trees and landscaping
- Ecology impacts
- Air quality

Parish/Town Council

Consultee	Date consulted	Date reply received
Oulton Parish Council	26 January 2023	No response
<p>No comments received.</p> <p>(A further email was sent direct to the Parish Council on the 11th of March 2024 requesting if they wished to make any representation, but no comments have been received.)</p>		

Consultees

Consultee	Date consulted	Date reply received
Active Travel England	1 June 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
Anglian Water	26 January 2023	3 February 2023
<p>Summary of comments: Advised that assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.</p> <p>They continued that there are no concerns around Wastewater Treatment, the Used Water Network or Surface Water Disposal.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	26 January 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
East Suffolk CIL	26 January 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	26 January 2023	2 February 2023
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Disability Forum	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	26 January 2023	24 March 2023
Summary of comments: Objections initially raised regarding the potential impact on protected species, and limited information on Invasive Plant Species, Biodiversity Net Gain (BNG) and Biodiversity Net Gain (BNG) Habitats Regulations Assessment (HRA) Further comments received in response to submission of additional information confirm acceptability of the proposals; final conditions to be recommended.		

Consultee	Date consulted	Date reply received
Natural England	26 January 2023	13 February 2023
Summary of comments: Further information required to determine impacts on designated sites		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 January 2023	24 February 2023

Summary of comments: No objections raised subject to conditions
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Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	27 January 2023	27 January 2023

Summary of comments: No objections

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	1 June 2023	2 June 2023

Summary of comments: No objections

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	26 January 2023	No response

Summary of comments: No comments received
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Consultee	Date consulted	Date reply received
East Suffolk Leisure And Play	26 January 2023	1 February 2023

Summary of comments: It is recommended that there is an area at least 0.05ha for an equipped play area that should have at least 500sqm of an activity zone. Concerns raised around the proposed location of the play space close to the water attenuation system.
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Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	26 January 2023	14 February 2023

Summary of comments: No objections

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	26 January 2023	No response

Summary of comments: No comments received
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Consultee	Date consulted	Date reply received
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Police - Traffic Management Officer	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	26 January 2023 17 February 2023 N/A NA/A	3 February 2023 17 February 2023 11 October 2023 28 February 2024
Summary of comments: 1 st Response – S106 contributions provided and holding objection raised regarding the early years provision. 2 nd and 3 rd Responses – Holding objection maintained and updated developer contribution details. 4 th Response – Removal of holding objection following confirmation early years would be secured. on WLP2.15 and updated developer contribution details.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 January 2023	27 January 2023
Summary of comments: No objections subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Cycling Officer	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 January 2023 12 June 2023 18 August 2023	21 February 2023 27 June 2023 30 August 2023
Summary of comments: 1 st Response - Holding objection 2 nd Response - Holding objection 3 rd Response - Following amendments, no objections raised.		

Consultee	Date consulted	Date reply received
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SCC Highways Department	26 January 2023	5 April 2023
Summary of comments: No objections subject to conditions		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	26 January 2023	2 March 2023
Summary of comments: Concerns raised		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 January 2023	16 February 2023
Summary of comments: Objections raised		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	26 January 2023	1 March 2023
Summary of comments: Following the submission of an updated tree survey no objections raised		

5. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Major Application	3 February 2023	24 February 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	3 February 2023	24 February 2023	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 26 January 2023 Expiry date: 16 February 2023
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7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 7.2. The National Planning Policy Framework (2023) (NPPF) represents up-to-date government planning policy and is a material consideration.
- 7.3. Development plan policies are material to an application for planning permission, and a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. In this instance, the development plan comprises the East Suffolk Council – Waveney Local Plan (adopted 20 March 2019) (“local plan”).
- 7.4. Key relevant policies from the local plan are listed in the section below and will be considered in the assessment to follow:
- WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP2.14 - Land North of Union Lane, Oulton
 - WLP8.1 - Housing Mix
 - WLP8.2 - Affordable Housing
 - WLP8.3 - Self Build and Custom Build
 - WLP8.21 - Sustainable Transport
 - WLP8.23 - Protection of Open Space
 - WLP8.24 - Flood Risk
 - WLP8.28 - Sustainable Construction
 - WLP8.30 - Design of Open Spaces
 - WLP8.31 - Lifetime Design
 - WLP8.32 - Housing Density and Design
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.35 - Landscape Character
 - WLP8.37 - Historic Environment
 - WLP8.40 - Archaeology
- 7.5. Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPG) provide additional guidance on matters covered by the local plan and are material considerations in decision making. Those that are relevant to this application are listed below and will be considered in the assessment to follow:
- Land North of Union Lane, Oulton (WLP2.14) Residential Development Brief (East Suffolk Council, Adopted September 2021)
 - Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)
 - Sustainable Construction Supplementary Planning Document (East Suffolk Council, Adopted April 2022)
 - Affordable Housing Supplementary Planning Document (East Suffolk Council, Adopted May 2022)
 - East Suffolk Cycling and Walking Strategy (East Suffolk Council, Adopted October 2022)
 - Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (East Suffolk Council, Adopted May 2021)

7.6. The Oulton Neighbourhood Plan was made by East Suffolk Council on 22 February 2023. As such it is part of the Development Plan and, along with the Local Plan, the starting point in the assessment of this application. The relevant policies for consideration are listed below:

- Policy 1: Housing Type and Mix
- Policy 2: Affordable housing tenure mix
- Policy 3: Design
- Policy 4: Biodiversity and Green Corridors
- Policy 8: Heritage Assets
- Policy 9: Sustainable Transport
- Policy 10: Traffic and Speed

8. Planning Considerations

Principle of development

- 8.1. The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, the Lowestoft Area, comprising Lowestoft, Carlton Colville, Corton, Gisleham, Oulton and Oulton Broad, is expected to deliver approximately 56% of housing growth in the Waveney Local Plan area. One of the opportunities to deliver that housing growth is WLP2.14 (Land North of Union Lane, Oulton) which allocates 5.7 hectares of land for a residential development of approximately 150 dwellings.
- 8.2. This application comprises the entirety of the site allocation of WLP2.14, thus, the principle of residential development on that allocated land as set by the adopted Local Plan which has been through the scrutiny of examination and found to be sound. In addition, a Residential development brief for the allocation was written and adopted in 2021.
- 8.3. Policy WLP2.14 sets out that the site should be developed in accordance with the following site specific criteria:
- The site will be developed at a density of approximately 30 dwellings per hectare.
 - Vehicular access should be off Parkhill. An additional pedestrian and cycle access should be provided on to Union Lane. The pavement on Parkhill should be extended to the site entrance.
 - A play space equivalent to a local equipped area for play of approximately 0.4 hectares in size should be provided.
 - If needed at the time of the planning application, 0.09 hectares of land on the site should be reserved for a new pre-school setting.
 - A full site investigation report assessing the risk of ground contamination should be submitted with any planning application.
 - Development should avoid impacts on and enhance the historic burial ground.
 - A Transport Assessment and Travel Plan should be submitted with any planning application.
 - A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.

- 8.4. These matters will be considered below, as well as the consideration of the scheme to all other relevant planning policies.

Design and layout

- 8.5. Policy WLP8.29 (Design) identifies that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should:
- Demonstrate a clear understanding of the form and character of the built, historic, and natural environment and use this understanding to complement local character and distinctiveness;
 - Respond to local context and the form of surrounding buildings
 - Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;
 - Protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development;
 - Take into account the need to promote public safety and deter crime and disorder;
 - Create permeable and legible developments which are easily accessed and used by all, regardless of age, mobility and disability;
 - Provide highway layouts with well-integrated car parking and landscaping which create a high quality public realm, avoiding the perception of a car dominated environment;
 - Include hard and soft landscaping schemes to aid the integration of the development into its surroundings; and
 - Ensure that the layout and design incorporate adequate provision for the storage and collection of waste and recycling bins.
- 8.6. The residential development brief for the site also identifies the importance of development providing a strong built edge fronting onto both Parkhill and the western boundary, overlooking the proposed cycling and walking routes. Street patterns and building frontages should retain and frame key views on and beyond the site.
- 8.7. The submitted Design and Access Statement has set out a series of development principles they have implemented into the overall design and layout consideration of the submitted scheme, these include:
- Integration of the proposed new development into the settlement by respecting the local landscape and landform and by creating high quality, convenient, and safe walking and cycling links to local facilities and public transport;
 - Providing high quality dwelling designs that produce attractive street scenes and create a “sense of place” which responds to the characteristics of the site and its surroundings;
 - Providing a diverse and mixed community, providing a variety of housing types, sizes, and tenure to meet identified needs;
 - The provision of high quality, varied and accessible public open space; which also allows play spaces to be integrated into the development
 - An effective and efficient use of the site, whilst including a range of building types and sizes to add visual interest;

- Enhancing the green infrastructure and biodiversity of the site through the retention of established trees/hedgerow planting around the boundaries, new planting of existing boundaries, public open spaces and private gardens;
- Providing a clear definition between private and public space, ensuring that rear boundaries are secure and that houses are orientated to maximise the natural surveillance of streets, parking areas and play spaces;
- Creating a clear hierarchy of streets, which is easily understood and is pedestrian and cycle friendly;
- Ensuring that street design provides adequate space for motor vehicles, but in a way that reduces vehicle speeds and does not allow parking to be dominant;
- The design of houses to maximise the opportunities for sustainable construction and energy efficiency. along with the attenuation basin designed in a way to enhance the public open space.

- 8.8. In respect of the full application element: the proposal has been designed with unique dwellings (rather than standard housetypes) in a contemporary style set behind a new hedgerow along the site frontage. This approach is considered to provide a strong frontage onto Parkhill with unique dwelling design, which is an aspiration of the residential design brief. Furthermore, whilst the majority of dwellings are of a more standard design within the site, the overall designs are considered to be good quality with a contemporary approach. The single storey dwellings have been positioned mainly along the southern boundary, which protects the amenity of the dwellings to the immediate south. These are a variety of detached and semi-detached models. The majority of dwellings proposed will be two storey, again in a mixture of detached and semi-detached.
- 8.9. Overall, it is considered that the layout provides a good quality design with good connectivity, and a centralised play area. The attenuation basin for phase 1 will be positioned in the north-west corner of phase 1 and has been designed to integrate into the area with landscaping, footpaths, and play equipment around it. Dwellings have also been arranged to overlook important areas such as the play equipment and landscaped area, as well as areas of footpath within the site.
- 8.10. One aspirational design element set out in the residential design brief was for the main access road off Parkhill to be linear, creating an attractive principal route through the development with high quality landscaping. It sought for the route to be tree lined and maximise the key view through to the countryside beyond. However, a truly linear road was not deemed practical for the site as set out within the 'Highways and Access' considerations section. Therefore, the road has been designed with a curvature in the road, which is still considered to provide a strong principal route through the site.
- 8.11. Matters of appearance, landscaping, scale, and layout on phase 2 (the outline element) are reserved, and as such are not under consideration as part of this application. An indicative layout plan has been provided, which shows how the applicant considers that up to 87 dwellings may be achievable in phase 2. Officers note that under the allocation, a total of 150 dwellings could be permissible. However, given the relatively low density of phase 1 and requirements such as above ground surface water drainage features, and protection of the historic burial site, this is extremely unlikely to be achievable. Officers do have concerns around the indicated density of some areas of Phase 2, as well as concerns around layout and play/open space area design as shown on the indicative plan. This has been fed back to the applicants; however, overall, an *up to 87* dwelling for phase 2 is

considered acceptable. In future reserved matters application for phase 2 this sets an upper limit of housing numbers, but the detailed design may see a far lower figure for the reasons previously explained.

Amenity / Local Living Conditions

- 8.12. Policy WLP8.29 (Design) sets out that proposals should protect the amenity of the wider environment, neighbouring uses, and provide a good standard of amenity for future occupiers of the proposed development.
- 8.13. In regard to existing development around the site the most sensitive receptors are the existing residential properties along the southern boundary for the site, and on the opposite side of Parkhill. The majority of dwellings along the southern boundary comprise of single or one-and-a-half storey dwellings, situated at the southern end of North Field Close, Lothingland Close, and Airey Close.
- 8.14. As noted in the previous section the majority of dwellings (Plots 15-21) along the southern boundary will be single storey. This will limit any potential overlooking from the proposed dwellings to the existing dwellings to the south. The existing dwellings are close to the site boundary and as such some overlooking over the private amenity areas of the new dwellings may occur, although this is mainly limited to plots 20 and 21 which benefit from large plots. In any case there would be no significant amenity impact on these new properties. The separation distance between the proposed dwellings along Parkhill, and the existing dwellings to the east, is deemed sufficient to limit any potential overlooking.
- 8.15. Several dwellings along the southern and western boundary of phase 1 will have retained trees within or just outside of their residential curtilage. As part of this application many of the trees will have work undertaken to reduce the size of canopies to make them more appropriate for their setting and reduce potential pressure for the trees to be removed in the future. It is noted that none of the trees are protected by TPO and would not be candidates for such protection but the proposed approach to retention is welcomed. In this instance it is considered that the position and size of the trees should not be overly harmful (through shading) to the amenity of future residents.
- 8.16. The proposed scheme is also considered to provide proportionate curtilage and private amenity spaces for each dwelling. It is also not considered that the layout results in any excessive overlooking between dwellings and their private amenity spaces compared to what would be expected in a modern housing developments that maximises available space and efficiently utilises the land.
- 8.17. Anglian Water have advised that the development site is within 15 metres of a sewage pumping station. This is situated near to Flixton View, and the asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.
- 8.18. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The existing pumping station would be re-positioned adjacent to a proposed pumping station

in the southern protrusion of phase 2, and the indicative plan does not indicate any proposed dwellings within 15m of the pumping station.

- 8.19. The application also proposes two pumping stations, one situated within Phase 1, on the boundary between phase 1 and phase 2, and a second situated on the southern protrusion of phase 2 along Flixton View. It is not proposed that any residential dwellinghouse would be situated within a 15m cordon sanitaire. Therefore, it is not deemed that any existing or proposed Foul Water Pumping Station would impact upon the amenity of existing or future residents.
- 8.20. The application has been accompanied by an Air Quality Assessment, which has assessed the potential impact on air quality to existing and future residents. The report identifies that there is a Low to Medium risk of dust soiling impacts and a Low risk of increases in particulate matter concentrations due to unmitigated construction activities for human health. However, it concludes that through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced. Therefore, a condition will be applied for a construction management plan condition should permission be granted.
- 8.21. The Site lies within an area where air quality is mainly influenced by emissions associated with road traffic along the existing road network. The Air Quality Assessment finds that, based on the extent of predicted population exposure to the impacts on pollutant concentrations, the proposed development is expected to result in a negligible impact associated with the operational phase traffic on nearby receptors and the residual effects are considered to be not significant. Additionally, the residual effect of the Proposed Development is considered to be not significant for all pollutants considered.
- 8.22. The application is also accompanied by a Noise Impact Assessment, which identifies that, following an environmental noise survey at the proposed development site, ambient noise levels are dominated by the adjacent B1375 (Parkhill). An initial site risk noise assessment in accordance with ProPG indicates that approximately 50 % of the site falls between the Low - Medium risk categories, all other areas fall into the negligible risk category. ProPG advises that proposed development sites in the 'medium' risk category are *"likely to be less suitable from a noise perspective and any subsequent application may be refused unless a good acoustic design process is followed and is demonstrated in an Acoustic Design Statement"*.
- 8.23. The Noise Impact Assessment has set out acoustic design recommendations and specifications for the building envelope so that noise levels in habitable rooms would comply with the relevant internal noise criteria. These recommendations include:
- Ensuring walls meet achieve a minimum sound reduction level,
 - Ensuring that the roofing and ceiling achieve a specified overall weighted sound reduction index
 - Windows meeting a required R value

It is recommended that these measures be conditioned as part of any approval, if granted.

- 8.24. Additionally, the NIA identifies that daytime average noise levels in the rear gardens of the proposed dwellings are expected to be acceptable in accordance with relevant guidance.

8.25. Officers therefore considered that based on the information and reports submitted that the amenity of existing residents will be protected, and that the dwellings would provide good living conditions for future residents of the scheme. The Environmental Protection Team have raised no objections to the scheme subject to conditions requiring submission of a Construction Management Plan, and the implementation of recommendations in the Noise Impact Assessment.

Highways, Access and Sustainable Transport

8.26. Policy WLP2.15 sets out that vehicular access should be off Parkhill. Additionally pedestrian and cycle access should be provided onto Union Lane, and the pavement on Parkhill should be extended to the site entrance.

8.27. Paragraph 115 of the NPPF requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.28. Paragraph 116 continues that, within this context, applications for development should:

- a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d. allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

8.29. The site is currently accessed via a field access off Parkhill, and via an access point off Union Lane in the south-western region of the site.

8.30. The primary vehicular access point will be off Parkhill, adjacent the eastern boundary of the site, as required by allocation policy WLP2.15. Parkhill at this section is a 30mph speed limit, this increases to 40mph further north along Parkhill. A second emergency access point, controlled with lockable bollards, will be located in the south-western region of the site via Union Lane. However, it is not deemed appropriate for normal residential vehicular access from the site to be via Union Lane due to the narrow nature of that section of the highway.

8.31. Access for Phase 2 of the development is a matter for consideration. The proposed vehicular access for Phase 2 will be via the main spine road of Phase 1. This will create a Primary Access route through the middle of the site from east to west. This was an

aspiration of the Land North of Union Lane, Oulton (WLP2.14) Residential Development Brief, and is a logical way of creating access through this unusually shaped site.

- 8.32. Although the RDB aspiration was for the road to be straight and tree lined, this has not been possible due to requirements from the Highways Authority regarding potential speeds and design, and Drainage requirements with the need for the filter drains on one side. However, the primary route through the site is a broadly linear route with a gentle curve and raised tables to reduce vehicle traffic speeds through the site. A perfectly straight route would likely result in unsafe vehicle speeds through the site and is therefore not appropriate.
- 8.33. As part of this application a Transport Assessment has been undertaken. The assessment concludes that despite considerable anticipated residual future constraints, the impact of the development is considered negligible. Concluding that: on the basis of the evidence provided in this Transport Assessment, it is considered there are no reasonable grounds for refusal of the proposed development on traffic and transportation grounds, the impacts of which are considered to be negligible.
- 8.34. SCC Highways authority have reviewed the information submitted as part of this application and raise no objections in regard to design of the proposed primary vehicular access point or any impacts upon the local highway network as a result of the proposed development.
- 8.35. Along the northern boundary edge of the primary access road will be a shared footway/cycle way connecting Parkhill to Union Lane, although the precise details in relation to phase 2 are reserved. The cycleway should be at grade, so the cyclist has a level gradient to cycle along, this has been achieved in phase 1 by Dutch style kerbs as per the Suffolk Streets Design 2022.
- 8.36. The cycle route in the next phase is only indicative, however, officers consider that it requires more design to enable the cycle way to tie into proposed and existing routes and for the cycle way to remain at grade. Therefore, this will be conditioned to be submitted and these issues to be addressed at that point in order for the work to be county adoptable standard. Shared surface roads should be designed to the Suffolk Streets Guide 2022.
- 8.37. The proposal also includes the connecting of the site to the Union Lane Junction with a footpath along Parkhill. The width of this footpath is constrained due to the limited availability of land in this section. However, officers considered it significantly important to provide this connection to allow alternative transport modes to and from the site.
- 8.38. There are also Bus stops located in close proximity. The nearest is to the south and is adjacent to the community centre and benefits from a formal crossing on route. This application proposes off-site works to widen the footway at the junction of union lane, which will make the footway wider and safer for pedestrians looking to walk to the bus stops.
- 8.39. SCC Highways have confirmed that plans for the expected section 278 agreement have been submitted alongside the application and are broadly acceptable subject to vetting and acceptance by SCC adoptions and agreements team.

- 8.40. In all respects through both the FUL and Outline elements, officers are satisfied that the scheme is acceptable in highways and sustainable transport terms in accordance with policy.

Trees and Landscape

- 8.41. Policy WLP8.29 sets out that development should be high quality and take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site. In addition, it sets out that proposals should include hard and soft landscaping schemes to aid the integration of the development into its surroundings.
- 8.42. The Residential Development Brief that has been created for this site sets out that except where needed for access, the hedgerow along Parkhill should be retained as it is important in helping to preserve the settings of the two listed buildings located to the east as well as for its biodiversity value.
- 8.43. The proposed visibility splay for the new access requires the removal of a large portion of the hedge row. There is also a ditch that runs along the site frontage, with the hedge growing within and over this drainage ditch. It is therefore proposed to remove all the hedge, as opposed to retaining just part of it, and then replanting it further into the site. This also allows for the path to run in front of the hedge along the street frontage, rather than behind a large hedge. Whilst the loss is unfortunate, it will be replaced by a new hedgerow along the site frontage as well as the planting of several trees. This is considered acceptable by officers and would create an attractive edge to the application site.
- 8.44. Within the wider landscape many of the views of phase 1 will be from across the north boundary of the site. This is due to the proximity of the Public Rights of Way Network situated 80m north of the site and running more or less parallel with the north boundary of the entire development site. Along the northern boundary of phase 1, it is proposed to retain much of the existing foliage whilst also introducing additional planting. Whilst views of the development will be achievable in the wider landscape, the existing backdrop is of urban development. Additionally, the existing and proposed landscaping along the northern boundary of phase 1 will soften the views, as will the positioning of dwellings away from the boundary.
- 8.45. It is acknowledged that the layout does not provide a lot of opportunity for street trees and landscape structure within the development. There is a reasonable level of planting and trees being provided overall, however, these are largely either towards the development boundaries or within privately owned spaces, where longer term planning control would be difficult.
- 8.46. Furthermore, opportunities for planting street trees are constrained by the drainage requirements, where swales and associated piped elements exist along the major access route. However, planting is proposed alongside the southern side of the main access route with the northern side comprising grassed areas for the filter drain.
- 8.47. Overall, officers consider that phase 1 would integrate into the wider landscape area, and whilst there are missed opportunities for additional landscaping within the scheme, it is

considered that overall, it would create a good quality scheme with areas of attractive landscaping and no significant wider landscape and visual impacts.

- 8.48. Landscaping is a matter reserved for phase 2, at this point, and as such precise details of what is proposed have not been included. Views of phase 2 will be more prominent from the wider landscape, with the broads national park being situated approximately 1km west from the western boundary of the site. The indicative layout proposes the attenuation basin and open space, comprising the burial site, in the northwestern corner of the site. As well as the retention of planting along the western boundary, and the positioning of dwellings into the site away from the boundary. This is considered to soften potential impacts; however careful consideration will need to be given with any reserved matters application to the final layout and landscaping.
- 8.49. This is an allocated site for housing; therefore, officers acknowledge that to achieve development, existing trees are going to come under pressure for space. The councils Tree and Landscape Team have reviewed the scheme, and provided comments which form part of the consideration of this application.
- 8.50. The existing site does comprise of several larger trees, and consideration needs to be given as to whether the retention of these long-term is conceivable. For instance, the position of trees in the residential curtilage of dwellings can place future pressure for the trees to be removed once residents occupy the dwelling(s). Many of the trees to be retained are positioned along the site boundary, either within or just outside the application site.
- 8.51. To mitigate potential impacts arising 25% crown reductions is proposed to the retained oaks and any other similar broadleaved trees is probably. Several of the Oaks also have overextended limbs that are not a good match with overhanging garden spaces. Officers do not consider this unreasonable under the circumstances, and it should reduce future pressures on these trees, enabling their longer term retention.
- 8.52. During the course of the application an updated Tree Report was submitted to address questions raised by the Tree and Landscape Team. This updated report considers the row of trees on the western boundary, especially the Poplar trees. Officers note that whilst these Poplar trees are healthy and do provide screening, they are - as a species - prone to severe damage from the Hornet Wasp and blow down. Due to this potential threat the applicant will offer to trim/ remove when carrying out tree works on site. In view of the updated Tree Report and especially the proposed management of the trees along the western boundary officers have no objection to this proposal on tree grounds.
- 8.53. In terms of trees and landscape matters, the scheme is in accordance with policy.

Heritage and Archaeology

- 8.54. There are no designated heritage assets on the application site that are buildings or structures, and the site does not fall within, nor is it close to any Conservation Areas.
- 8.55. On the opposite side of Parkhill (B1375), there are two listed buildings, namely The Hall (North and South) and The Lodge, both Parkhill, of which the application site falls within the setting of. The adopted Residential Development Brief SPD (September 2021) for this

site notes that the 'principal elevations of the listed buildings face the site - any proposal must take full account of their setting in terms of potential impacts on significance.'

- 8.56. Of further note is on the Suffolk Historic Environment Record the application site is identified for WWII defensive systems, including anti-tank systems; and is also the location of the former Mutford and Lothingland Incorporated Hundred Workhouse erected in 1765. The latter of which is linked to the former cemetery, located to the north-west of the application site.
- 8.57. Officers have undertaken consultation with the councils Principal Design and Heritage officer as well as Suffolk County Councils Archaeological Service, who have provided comment on the application. A Heritage Statement has been submitted with the application and officers are content that it meets the requirements of the NPPF at paragraph 200. Of note within the Heritage statement are:
- The application site has 'a long history as agricultural land, the western part of which was subsequently developed as the workhouse and associated burial ground, while the eastern part of the site remained undeveloped until its fortification during the Second World War.'
 - The entrance elevation and principal elevation faced southwards over the generous extent of the associated landscaped grounds of the Hall. The Hall and its grounds, therefore, were oriented away from Parkhill and away from farmed land opposite. It is likely, thus, that there was no direct functional or tenurial connection between the application site and The Hall, historically.
 - The greatest part of The Lodge's significance that is derived from its setting arises from its very close historical association with The Hall, for which it was built in the early 19th century or potentially more around 1830-40.
 - That the application proposals will result in a minor level of less-than-substantial harm to the significance of both listed buildings.
 - The HS refers to the potential for NDHAs at this site but uses this in its archaeological meaning for unknown buried archaeology.
- 8.58. Of note is that there is clear intervisibility between the sites of The Hall and The Lodge, and the application site. Officers therefore consider that although the application site does not contribute directly to the significance of either listed building, changes to it will impact their existing surroundings. This is because, in its undeveloped form, these surroundings have a relatively open, green, and undisturbed character that is consonant with part of the houses' wider setting. Having said that, through encroaching modern development, it is also fair to say that built form also now forms part of that setting character.
- 8.59. The development proposals will, in principle and in part, have an adverse impact on the setting and special interest of the two aforementioned listed buildings. This is because it will reduce the open, green, and undisturbed part of their setting that has been undeveloped for their lifetime in this part of it. It is noted that whilst the western part of the site was developed as part of the former workhouse, the intervening land, however, has remained undeveloped until present.
- 8.60. This open-ness is established and historic and, by default, contributes to the significance of the two listed buildings – that is, these are part of the surroundings that have always been. The importance of this contribution, however, is relatively limited since the application site

had no tenurial or functional connection to the two buildings, and the buildings did not rely on the site for their appreciation – more from Parkhill, itself. Further, the two buildings faced away from the site (intentionally) with their principal elevations facing south. Development will be consonant with that which already forms part of the surroundings to the listed buildings. Further, officers do not consider that the proposed development will diminish the ability to appreciate the significance of the buildings. That is why, although there will be an adverse impact arising from development and the resulting loss of open character in this area of the setting, the effect of that on the significance of the listed buildings is deemed minor.

- 8.61. The minor effect of the adverse impact that is identified will be partly mitigated by the development frontage offset and the replanting of the frontage hedgerow. These will assist in reducing the harm that arises from the proposed development on the significance of the two listed buildings, although this will not entirely vitiate it.
- 8.62. Therefore, officers judge that there will be an adverse impact with minor effect on the setting and significance of The Hall and The Lodge from the application proposals.
- 8.63. Officers consider that the adverse impact with minor effect that is identified above will give rise to a low level of less-than-substantial harm (in NPPF terms) to the significance of the two designated heritage assets that are the Grade II listed The Hall and the Grade II listed The Lodge. This requires that the decision maker must engage the relevant test of the NPPF at paragraph 208 of the NPPF and weigh up the harm that has been identified with the public benefits of the proposed development, bearing in mind paragraph 205 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, regardless of the level of harm identified.
- 8.64. The site also contains an historic burial site situation in the North-western corner of the application site. Policy WLP2.14 requires that development should avoid impacts on and enhance the historic burial ground. Additionally, the Oulton Neighbourhood Plan identifies several Non-Designated Heritage Assets (NDHAs) identified. The historic Burial Ground is recognised as NDHA. Policy 8 of the Oulton Neighbourhood Plan, states that Proposals that are adjacent non-designated assets should demonstrate that consideration has been given to preserving:
- a) The heritage asset and its distinctive historic features as identified in the Oulton Neighbourhood Plan Non-Designated Heritage Assets Assessment Document;
 - b) The positive elements of its setting that contribute to the asset's historic significance; and
 - c) The contribution that the asset and its setting makes to the character of the local area.
- 8.65. Given the archaeological sensitivity of the former workhouse burial ground, and the extensive ground disturbance caused by the later use of the site, a pre-determination trenched archaeological evaluation of the former burial ground was undertaken prior to submission of this application. Having established the dimensions of the former burial ground and established the depth at which burials exist intact, the proposed development scheme will see the retention of the area of the burial ground undisturbed, as public open space. The burial site forms part of the outline portion of this proposal and therefore the

full layout and design of that area of the site will form part of any latter submission. However, the submitted Heritage Statement sets out that it is proposed that it will be landscaped and suitably managed, with interpretation provided to explain the presence and history of the burial ground. The identified gravestones will be retained on the site, as will any others which are revealed during development works.

- 8.66. The Heritage statement sets out following archaeological evaluation it has been identified that the western end of the burial ground has been entirely truncated by the later use of the site for waste management, it is therefore considered appropriate for this area of the public open space to also be used as part of the attenuation basin for the management of exceptional rainwater runoff. As set out below, Suffolk County Council Archaeological Service have agreed with his approach. Furthermore, any landscaping will see the site built up, rather than dug away in order to preserve the burials, and the area will be subject to a Construction Management Plan and cordoned off during construction works in order to ensure that the former burial ground remains undisturbed.
- 8.67. This site also lies in an area of archaeological potential recorded on the County Historic Environment Record. There are cropmarks to the north (OUL 015) and the west and southwest (FTN 017, FTN 019 and part of the site lies within the sites of WW2 features (BCC 025,BCC 006). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 8.68. Previous archaeological evaluation (Cotswold Archaeology 2021) has defined the surviving extent of the workhouse burial ground. SCCAS has confirmed that they are satisfied that the proposed plans will not disturb human remains.
- 8.69. As such SCCAS have raised no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition.

Ecology and Biodiversity

- 8.70. Policy WLP8.34 sets out the policy position for Biodiversity and Geodiversity. The policy sets out that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey, and if present the proposal must be sensitive to, and make provision for their needs. An Ecological Assessment and Bat Emergence Survey were initially submitted. The Ecological Assessment identified a number of potential ecological impacts arising from the scheme.
- 8.71. The Ecological Assessment identifies the potential for Great Crested Newts. The initial assessment advises two options for great crested newt mitigation, using either a Low Impact Class Licence (LICL) or the District Level Licence (DLL) route. Given the two different mitigation options available the applicant must clarify which is to be used, prior to the determination of this application. If a LICL is to be used then, in accordance with the recommendation in the Ecological Assessment, further great crested newt surveys are required prior to the determination of this application so that it can be ensured that impacts on protected species are fully considered. If the DLL approach is to be used then

there is no requirement for further great crested newt surveys prior to determination, however an Impact Assessment and Conservation Payment Certificate (IACPC) signed by both the applicant and Natural England will need to be submitted prior to determination in order to demonstrate that the site has been accepted into the DLL scheme by Natural England.

- 8.72. Following the submission of further information, the Ecology Team raised no objections with the conditions to be finalised and reported to members when available.
- 8.73. The proposal involves the removal of several trees within the application site. The Bat Emergence Surveys (Small Ecology, December 2022) confirmed that no bats emerged from any of the buildings on site, however it was believed that a pipistrelle bat had emerged from a poplar tree nearby. Significant numbers of noctule bats were also recorded commuting across the site which suggested that the bats may be roosting within or within proximity of the application site and possibly that a maternity colony may be present. However, the exact location of the potential noctule roost was not able to be fully determined. If any of the trees proposed for removal are potentially suitable for roosting bats then they must be subject to further survey prior to determination of the application, in order to determine whether any roosts are present and will be impacted by the proposed development. These further bat surveys must be undertaken in accordance with the relevant recommendations within the Ecological Assessment (Small Ecology, October 2022). Officers note the additional information provided, included trees with bat roost potential (BRP) with regards to Phase 1 and Phase 2. Further bat surveys on trees within Phase 2 can be controlled via condition and through the reserved matters application where detailed design is included.
- 8.74. The Ecological Assessment recommends that a Phase 2 walkover during late spring or summer is undertaken in order to identify any rare or scarce plants within the application site.
- 8.75. The Ecological Assessment also notes that Japanese Knotweed (*Fallopia japonica*), Butterfly bush (*Buddleia davidii*) and Cotoneaster sp are present within and around the redline boundary of the application site. Therefore, prior to the commencement of development, an invasive non-native species protocol will need to be submitted to and approved by the local planning authority, detailing the containment, control, and removal of invasive species on site. It is suggested that details of mitigation for invasive plant species are submitted via a condition.

Ecological Enhancements / Biodiversity Net Gain

- 8.76. Paragraph 4.13 of the adopted Development Brief for this site (Residential development brief for Land north of Union Lane, Oulton (WLP2.14) (2021)) states that *“Development will be supported where it will retain, restore, and enhance the biodiversity of the site. Development should achieve demonstratable net gains for wildlife, habitats, and green infrastructure improvements”*.
- 8.77. The NPPF paragraph 186(d) states that *“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design,*

especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 8.78. The application was made valid on the 22nd of December 2022, which is before Biodiversity Net Gain came into act for Major application on the 12th of February 2024. Therefore, a net gain in biodiversity under the BNG legislation is not required.
- 8.79. Whilst it is acknowledged that the Development Brief for this site does not explicitly require the submission of a Biodiversity Net Gain (BNG) assessment as part of the planning application, use of such an assessment (including use of the Biodiversity Net Gain Metric) could be an appropriate way of demonstrating that the proposal meets the relevant planning policy tests. The applicant, however, has contended that a BNG assessment is not a requirement, and as such has not submitted one.
- 8.80. As the submission of a BNG assessment was not a requirement at the time of submission then one cannot be required. However, instead of providing a BNG assessment the applicant has submitted an Ecology Enhancements Plan and contends that Biodiversity has been integrated as part of the design of the scheme.
- 8.81. The Ecology Enhancements Plan shows two wildlife corridors; a north-south wildlife corridor between phase 1 and phase 2, and a wildlife corridor along the northern and western boundary of phase 2. These wildlife corridors are noted as being focused areas of planting which the applicant sets out would enhance biodiversity. There would also be new tree planting provided throughout both phase 1 and 2.
- 8.82. The applicant also sets out that each dwelling would have a private garden and front gardens would be landscaped and planted to enhance the setting of the new dwellings. Alongside this, marginal planting, submergent planting, alongside a woodland wildflower mix, wetland wildflower mix, and amenity grass seed would be planted to enhance biodiversity.
- 8.83. In addition, two new attenuation basins would be provided, in phase 1 and phase 2. The overarching proposed Drainage Strategy has been designed with consideration of the four key pillars of SuDs: water quality, water quantity, amenity, and biodiversity. In relation to biodiversity, the proposed attenuation basins have been designed with varying depths of permanent water to encourage biodiversity and amenity value. In addition, vegetation will be encouraged to improve biodiversity and amenity value.
- 8.84. In relation to public access, the site is not currently accessible to the public. The proposals would allow public access via the provision of new footways and a cycleway, which would lead to the open space created by the attenuation basins in phase 1 and the Burial Ground in phase 2. As set out previously the Burial Ground is a significant heritage asset, the applicant has set out its intention to sensitively restore and enhance the Burial Ground with a detailed landscaped scheme, which would be secured via condition.
- 8.85. It is worth noting that the site is allocated for allocated for up to 150 homes in the local plan and this scheme does fall below this threshold. Therefore, whilst it is noted that ecological net gain is limited within the scheme, the scheme as a whole does provide a level of ecological enhancement. This then needs to be balanced alongside all elements of the scheme and the constraints set out within this report.

- 8.86. The Councils Principal Ecologist has reviewed the information submitted and raised no objections with the conditions to be finalised. The scheme is thus in accordance with the ecological objectives of the Development Plan and NPPF.

Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)

- 8.87. The development site is within the recreational disturbance Zone of Influence for Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The LPA has been seeking appropriate mitigation for new residential housing in the zone of influence to ensure that there is no adverse effect on the integrity of Habitats Sites in East Suffolk. In addition, to these designated sites, the application site is approximately 3.1km to the north-east of components of the following designated sites:
- Broadland SPA;
 - Broadland Ramsar Site; and
 - The Broads SAC.
- 8.88. As the application proposes up to 132 dwellings, this would trigger the threshold of 50+ residential units which requires a Habitat Regulation Assessment (HRA) to be undertaken. The HRA also considered the above mentioned designated sites in relation to potential impacts from increased recreational disturbance, water abstraction and changes to water quality.
- 8.89. The HRA has been undertaken by the Councils Principal Ecologist, and a consultation was subsequently undertaken with Natural England who raised no objection to the HRA. The HRA recognises that the new residential development will potentially give rise to increased recreational disturbance at the identified European designated sites in-combination with other new residential development.
- 8.90. To address the potential for the overall development to result in recreational disturbance impacts, the following measures will be secured across the two phases:
- On-site public open space of approximately 0.8Ha, including walking routes around and through the development.
 - Connections to the local public rights of way network, including north from Phase 1 to link to Footpaths 3 and 9 (the mechanism to create this route will be secured in the S106 agreement), and through the southern boundary of Phase 2 linking to Union Lane and
 - Footpaths 2 and 6. This gives access to the public rights of way network to the west of the development, allowing for a range of circular walks of different lengths (up to and exceeding 2.7km) away from any European designated sites.
 - Improvements to the walking route alongside Parkhill (the B1375) to the south of the development site, improving walking route options to the south.
 - Signage/homeowner packs directing residents to the local PROW network.
 - Dog waste bins.
 - A financial contribution of £42,401.04 (132 dwellings x £321.22) to the Suffolk Coast RAMS, secured as part of the S106 agreement.

- 8.91. Having considered the proposed avoidance and mitigation measures above, East Suffolk Council conclude that, with mitigation, the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.
- 8.92. Having made this appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives, and subject to the opinion of Natural England, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 8.93. Subject to appropriate conditions, S106 agreements and RAMS contribution the scheme would accord with the requirements of Local Plan policy WLP8.34, the NPPF, and the Conservation of Habitats and Species Regulations (2017) (as amended).

Affordable, Custom and Self-build housing

- 8.94. Policy WLP8.2 (Affordable Housing) requires that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for 20% of housing to be affordable housing within the Lowestoft and Kessingland area (excluding Corton). However, in exceptional circumstances the level and tenure of affordable housing may be varied where it can be satisfactorily demonstrated through the preparation of a viability assessment, that a different tenure mix, or lower percentage of affordable housing, are required to ensure the site remains financially viable.
- 8.95. Affordable housing provision will only be reduced on sites which are necessary to the overall supply of housing in the District unless the scheme has wider sustainability benefits.
- 8.96. Alongside this application a Financial Viability Assessment has been submitted, which has been prepared by Pathfinder. The Viability Assessment concluded that the proposed scheme of 132 dwellings with 20% affordable housing would not deliver an economically viable level of land value as required by the National Planning Policy Framework.
- 8.97. An identical scheme was considered for 100% market housing of 132 dwellings without a pre-school. The proposed scheme generates a residual land value, which is considered to create a marginally economically viable level of land value as required by the National Planning Policy Framework, if the developer took considerable additional risk around achieving costs lower than expected or revenues in advance of market expectations.
- 8.98. The submitted planning statement sets out that, despite a 100% market scheme being only marginally viable, the Applicant would like to deliver an element of affordable housing to contribute towards providing much needed affordable housing in the area. It is therefore proposed to provide 4 affordable housing units, equivalent to 3%, comprising 4 x 2-bed units.
- 8.99. The affordable housing would be located in phase 2 on plots 30-33, and the statement sets out that they would be indistinguishable from the market housing in terms of the location, external appearance, design, standards and build quality.

- 8.100. Furthermore, the applicant has set out that as the scheme, which includes 128 market dwellings and 4 affordable housing units, is only marginally viable; it is not proposed to include land for the setting of a pre-school, as this would make the scheme unviable.
- 8.101. The Local Planning Authority has commissioned an independent review of the submitted Viability Report, which has been undertaken by BNP Paribas. In their initial report, it was concluded that the proposed Development with 20% affordable housing generated a surplus of £440,171 against the viability benchmark. However, following the submission of additional information, around the construction costs of the project, BNP have advised that the proposed Development with 20% affordable housing generates a RLV of £1,179,317: a deficit of -£697,881 against the viability benchmark.
- 8.102. Therefore, given the independent assessment/review of the applicant's submitted Viability Report, officers are content that the proposed development would be unviable if the policy required level of 20% affordable housing was provided. However, it was recommended by BNP Paribas that the Council include both early and late stage review mechanisms within the Section 106 Agreement to consider any potential changes that might occur during the build out of the scheme.
- 8.103. Policy WLP8.3 (Self Build and Custom Build) sets out that developments of 100 or more dwellings will be expected to provide a minimum of 5% self or custom build properties on site through the provision of serviced plots.
- 8.104. The indicative masterplans shows that 7 x 4 bed custom builds, equivalent to 5% could be provided on the southwest corner of phase 2. The submitted information states that the custom builds could allow occupiers a level of customisation, whilst ensuring the design ties in with the new dwellings and the surrounding context. The customisation offered would include a choice of house type, cladding, roof tiles, window frame, front door design, and a range of interior options.
- 8.105. Officers consider that the proposed range of house types to choose from will with limited customisation not be acceptable. Of critical importance will be the level of design freedom offered to initial occupants through a design code, which should be conditioned to the hybrid permission if the app is to be granted. It is also noted that the data on the councils register shows a big demand for self-build rather than custom build, although policy allows either.
- 8.106. The number of plots proposed is considered compliant with policy WLP8.3 requirements, and, whilst the level of customisation is not deemed appropriate from the information provided, the Custom Build plots form part of the second phase of the development, which is in outline form with all matter expect access reserved. Therefore, details of custom building plots can be detailed to be submitted alongside the Reserved Matters application to ensure acceptability.

Flooding and Drainage

- 8.107. The application site is situated within Flood Zone 1, the Environment Agency maps also show that there is a low risk of surface water flooding on the site, increasing to high risk towards the western boundary of the application site.

- 8.108. Furthermore, the scheme includes two foul water pumping stations, the first is it to be positioned on the south side of the principal route between phase 1 and 2. The second is proposed to be positioned on land between Flixton Road and Union Lane towards the south-west area of phase 2.
- 8.109. Suffolk County Councils Local Lead Flood Authority (LLFA) initially raised a holding objection to the scheme due to the requirement for several further pieces of information that need to be submitted and designed into the schemes. This has resulted in an overall increase in the size of the attenuation basin in phase 1 which required some minor amendments to the layout around the attenuation basin. Following further consultation with the LLFA they have raised no objections to the overall scheme subject to conditions.
- 8.110. Following this response, it was noted that there may be issues around the maintenance of a 3m ditch to the Western boundary of Phase 1, due to the presence of existing and proposed landscaping, and clarification was sought on how the ditch will be maintained. The applicant has provided an updated FRA as well as a plan showing that maintenance of the ditch can be undertaken via three routes, one off the principal access route, and the other two via plots 20 and 21. Whilst this is not an ideal situation, officers and the LLFA consider that in this instance it would be an acceptable approach in the event the ditch requires maintenance.
- 8.111. The scheme also includes two foul water pumping stations, the first is it to be positioned on the south side of the principal route between phase 1 and 2. The second is proposed to be positioned on land between Flixton Road and Union Lane towards the south-west area of phase 2.
- 8.112. Anglian Water has reviewed the submitted scheme and confirmed that the foul drainage from this development is in the catchment of Lowestoft Water Recycling Centre which has available capacity for these flows. As such they have raised no objections to the application.

Contamination

- 8.113. The application is accompanied by a Phase 1 contaminated land report, a Phase 2 contaminated land report and a supplementary ground gas report in support of the application. The reports have identified elevated CO₂ levels in areas of the site, whilst they have not determined flow and therefore the C665 Gas Screening Value has been calculated to classify the site as Green in accordance with NHBC traffic light system requiring no mitigation. Environmental Protection Officers requested that further discussion as to the likely source of the gas be provided along with consideration of environmental factors (including but not limited to seasonal and climatic variation) that may influence gas generation and flow in order to provide further confidence that the site is correctly classified. This information has been provided and Environmental Protection Officers are confident on the classification.
- 8.114. The Phase 2 has identified areas of lead and asbestos contamination, and these will need to be addressed adequately prior to development. As such Environmental Protection Officers have requested that a Remediation Method Statement be produced in line with Land Contamination Risk Management (LCRM) principles including the stage 2 options appraisal in order to ensure all appropriate remediation methods are considered. This

forms part of a suite of Land Contamination Conditions that are proposed if approval is granted.

Play and Open space

- 8.115. Policy WLP2.14 sets out that an area of play space equivalent to a local equipped area for play of approximately 0.4 hectares in size should be provided within the application site. The Councils Leisure Team have been consulted on the application. They have advised that it is usually recommended that there is an area at least 0.05ha for an equipped play area that should have at least 500sqm of an activity zone. The play experience should be stimulating and challenging and should include equipment providing opportunities for Swinging, Sliding, Climbing, Spinning, Balancing, Sensory Play, and Brachiating. Within the sensory play at least three of the senses will be engaged and fully accessible from a seated and standing position, these could include Sight/Visual, Sound, Scent, Tactile or Movement and Balance.
- 8.116. Based upon the draft Healthy Environments Supplementary Planning Document, the consultation for which closed in January 2024, and is due for adoption in Spring 2024, a recommended figure of 0.25 hectares per 1,000 people is to be used to calculate the minimum quantity of both types of play provision required. Based upon the 132 dwellings proposed this would equate to 0.0792 hectares (792 sqm). This is equivalent to a good LEAP provision.
- 8.117. The current illustrative layout has an excessive density in parts of Phase 2, officers expect that total number of dwellings to fall when it comes to reserved matters for Phase 2. The area referred to as the 'Neck' of the site has illustratively been laid out poorly for the north side of the road. Almost of the tree and hedge edge is proposed to be lost, presenting a hard fenced edge onto the countryside. Dwellings are also proposed too close to the pumping station which will have poor amenity and visual effects on them. This is a good location for play provision instead. It is well positioned to be delivered as an early part of Phase 2 to serve both phases, it allows a better landscaped edge and adds quality and interest to the route. The space looks roughly right to meet the 792sqm as shown below. This should be secured through a land use parameter plan.

Sustainability

- 8.118. Policy WLP8.28 (Sustainable Construction) sets out that proposals for major residential development of 10+ should demonstrate through the submission of a sustainability statement that, where practical, they have incorporated:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
 - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
 - Locally sourced and recycled materials.
 - Renewable and low carbon energy generation into the design of new developments.
 - Larger schemes should explore the scope for District heating.

- Minimising construction waste, including designing out waste during the design stage selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.

- 8.119. As part of the submission documentation for this application an Energy and Sustainability Statement was submitted. This statement sets out that the development would have a fabric first approach to design and construction, seeking to improve insulation and airtightness where possible. A review of suitable renewable technologies has also been undertaken and it was considered that Photovoltaic Panels (PVs) and Air Source Heat Pumps would be suitable for the development. In addition, it is proposed that 1 EV charging point per dwelling would be provided in line with Building Regulations. Additionally, during the construction phase, it states that materials would be sourced locally where possible, and the amount of construction waste would be minimised through planning. A condition is proposed that all construction take place in accordance with the recommendation of the submitted and approved an Energy and Sustainability Statement.
- 8.120. Additionally, policy WLP8.2 sets out that all new residential development in the District should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day. This can form a condition on any approval of the site.

Early Years Provision

- 8.121. Policy WLP2.14 sets out that if needed at the time of the planning application, 0.09 hectares of land on the site should be reserved for a new pre-school setting. Both this allocation and Policy WLP2.15, which allocates land between Hall Lane and Union Lane, Oulton, have this stipulation.
- 8.122. The level of new development within Oulton is likely to generate a need for a new pre-school setting. The preference for this would be in an existing primary school or in a location close to other services and facilities provided in the area. However, if there is no suitable, available site at the time of a planning application, and there is still a need for a setting, it may be necessary for a new setting to be included on this site. In this case SCC have set out that a new pre-school setting is required in the Oulton Area.
- 8.123. Officers however consider that there are several issues that could arise as a result of providing a pre-school on this site. These include the pedestrian access to the site, which as previously noted is slightly substandard in width, and therefore may not be as suitable in encouraging pedestrian activity to the pre-school. Furthermore, the provision of a pre-school would reduce the overall housing numbers of the site, which are already proposed significantly below the original allocation of 150 homes.
- 8.124. It was anticipated that of the two Oulton site allocations, the one that came forward first would be the one to provide the pre-school setting. This application was submitted first and is likely to be determined before the application on allocation WLP2.15.

8.125. Allocation of WLP2.15, which is just south of the application site, has a current application, and as part of that it is proposed there would be a pre-school setting. Given the similar timings of the two application, the issues in terms of housing numbers on the site, and the more favourable siting of that allocation in terms of proximity to the majority of residents in Oulton, pre-school provision on that allocation would be preferable to this application site.

Other Matters

8.126. SCC Suffolk Fire and Rescue Service has provided comments on the application, many of the matters such as access, firefighting facilities, and sprinklers are covered under building regulation legislation. However, Suffolk Fire and Rescue Service has recommended that fire hydrants be installed within the development site on a suitable route for laying hose, i.e. avoiding obstructions. However, it is advised that it is not possible, at this time, to determine the number of fire hydrants required for firefighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies. Therefore, a condition requiring details of these measures is appropriate at this stage.

8.127. Anglian Water has provided comment on the application. As set out within the amenity section AW have noted the proximity of their infrastructure to neighbouring residents, which is covered within the section, but to summarise, officers deem this acceptable. However, they have also advised that this development is in the catchment of Lowestoft Water Recycling Centre that will have available capacity for these flows.

8.128. Furthermore, AW have reviewed the submitted documentation around Flood Risk and Drainage and consider that the proposed connection is acceptable. As such they have advised that they do not require a condition in planning for foul water. Finally, they note that if the developer wishes to connect to their sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise them of the most suitable point of connection.

9. Conclusion

9.1. The proposed development would deliver significant public benefits including (inter alia):

- The provision of a total of 132 dwellings to boost the supply of homes in the area;
- 4 affordable homes;
- 7 Custom Build plots;
- A range of dwelling sizes and types between 1 and 4-bedrooms;
- Creating a well-designed environment, respecting the character and quality of Oulton;
- Retention and enhancement of the historic Burial Ground, alongside provision of open space, and play space;
- Providing new infrastructure to support new access routes for pedestrians and cyclists through the surrounding area;
- Landscaped areas, with enhanced planting and greening;
- Provide measures to result in positive environmental improvements and sustainable design; and

- Contribution to the Community Infrastructure Levy.

9.2. Paragraph 208 of NPPF requires that, where less than substantial harm to designated heritage assets would arise, that this harm should be weighed against the public benefits of the proposal. The public benefits arising from the scheme are noted above and officers conclude that the low level of less than substantial harm to the designated heritage assets of the adjacent Listed Buildings would be far outweighed by the wider public benefits of this development proposal.

9.3. The scheme details an acceptable residential development of this planned, allocated site and will help meet the District housing need identified by the East Suffolk (Waveney) Local Plan. The proposal is in accordance with the Development Plan, comprising the Local Plan and Neighbourhood Plan, and there are no material considerations to indicate for a decision other than approval.

10. Recommendation

10.1. Authority to Approve, subject to the completion of the S106 Legal Agreement and planning conditions that are summarised in section 11 of this report.

11. Conditions (summarised):

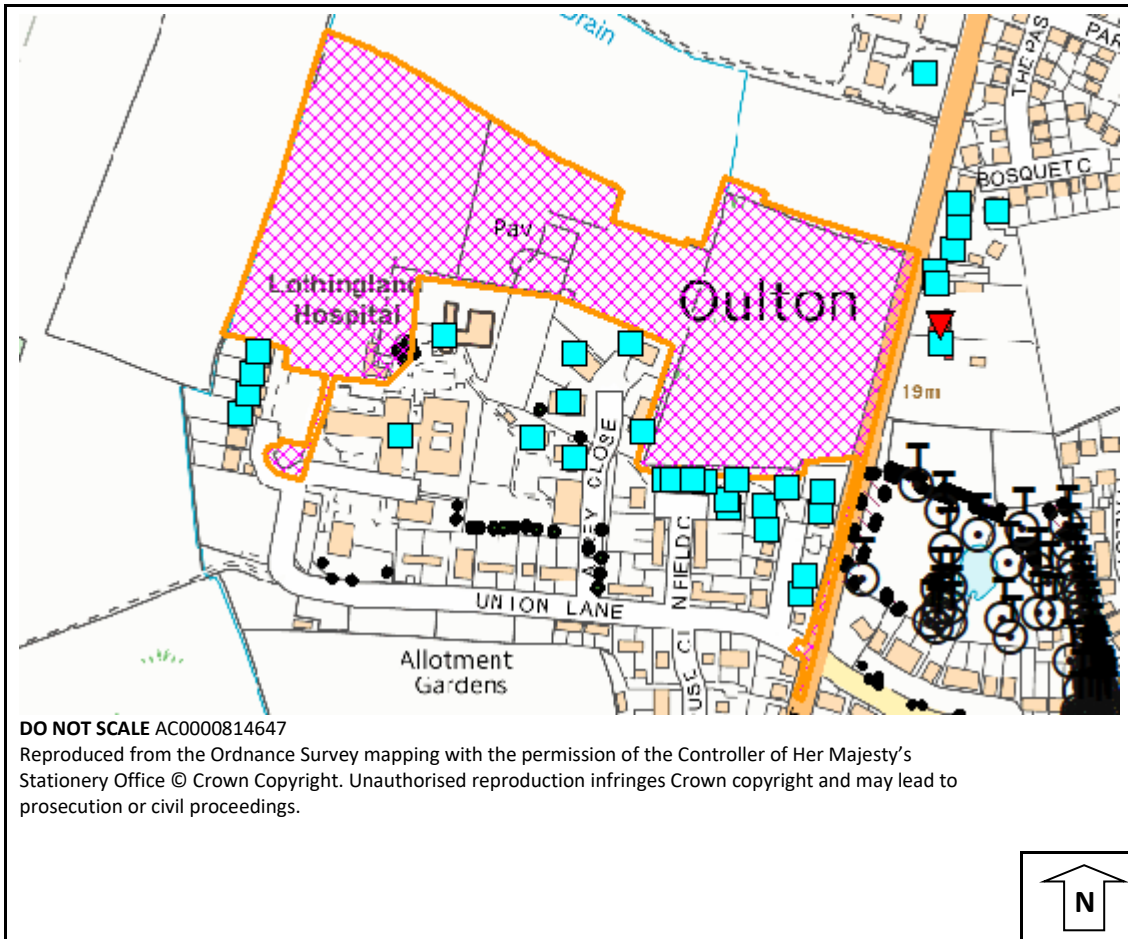
1. Reserved matters approval submission time frame (87 Outline dwellings)
2. Full permission time limit (45 full planning permission dwellings)
3. Approved drawings compliance
4. Submission of a scheme for the provision of fire hydrants
5. Submission of implementation of a programme of archaeological work
6. Submission of Written Scheme of Investigation
7. Submission of Construction Management Plan
8. Internal noise level standards
9. Implementation of noise mitigation measures/construction methods
10. Submission of noise level and/or noise mitigation works validation report
11. Control of noisy construction activities hours
12. Submission of a Supplementary Ground Gas Report
13. Submission of a Remediation Method Statement
14. Completion of RMS approved under condition 13
15. Submission of Validation report for approved RMS
16. Unexpected contamination (unlikely event action)
17. New access construction
18. Provision of storage and presentation for collection/emptying of refuse and recycling bins
19. Submission of details showing the means to prevent the discharge of surface water
20. Improvement to local bus stops
21. Submission of details of the estate roads and footpaths (including street furniture)
22. Construction of carriageways and footways
23. Submission of further information on off-site highways improvements
24. Submission of details on EV charging points
25. Submission of travel plan details
26. Implementation of the Flood Risk Assessment
27. Submission of surface water drainage verification report
28. Submission of a Construction Surface Water Management Plan (CSWMP)

29. Requirement for development to be served by most viable high-speed broadband connection.
30. Submission of details in respect of Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and/or requirement M4(3) 'wheelchair user dwellings'
31. Water consumption requirement
32. Requirement for dwellings to be built in accordance with approved the report 'Sustainability and Energy Statement for Residential Development'
33. Submission of details for Custom/Self Build Plots
34. Phasing Plan
35. Submission of construction plan for attenuation basin on Phase 2 Burial Site
36. Completion of Landscaping Plan for phase 1
37. Submission of Phase 2 Landscaping Plan
38. Submission of precise details for Childrens Play Area
39. Submission of Surface Water Drainage Scheme for Phase 2
40. Submission of surface water drainage verification report for Phase 2
41. Series of Ecology conditions as required by councils Principal Ecologist.





Background information

See application reference DC/22/4993/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support



Committee Report

Planning Committee North – 11 June 2024

Application no DC/24/1124/FUL

Location

Ingleside
3 Cloutings Close
Kelsale Cum Carlton
Saxmundham
Suffolk
IP17 2RX

Expiry date 20 May 2024

Application type Full Application

Applicant Mrs Margret Rowe

Parish Kelsale Cum Carlton

Proposal Side extension and self contained annex

Case Officer Becky Taylor
07570 962851

becky.taylor@eastsoffolk.gov.uk

1. Summary

1.1. This application seeks planning permission in respect of the development of a single storey side extension and self-contained residential annex at Ingleside, 3 Cloutings Close, Kelsale Cum Carlton.

1.2. Kelsale-Cum-Carlton Parish Council object due to the following reason:

"At the full Parish Council meeting held on Wednesday evening it was agreed by all the Council to object to this planning application, as it would set a precedent for the other properties in that area."

1.3. The application was presented to the Referral Panel on the 14th of May 2024 as the objections from the Parish Council were contrary to the officer's 'minded-to' recommendation of approval. The Panel decided that the application should be determined by Planning Committee.

1.4. The proposal is compliant with local and national planning policy and therefore it is recommended that planning permission be granted.

2. Site Description

2.1. The application site accommodates a two-storey detached dwelling situated within the settlement boundary of Kelsale Cum Carlton. The site lies to the west of the B1121 and is located at the corner of Cloutings Close, which lies just off the Main Road.

2.2. The property is of a brick and render exterior with a clay pantile roof and hosts a generous curtilage area which wraps around the dwelling and is enclosed with a mixture of fencing and hedging. The dwelling benefits from off-road parking in the form of a detached double bay garage located to the east of the main dwelling, as well as a driveway area to the front. The dwelling is largely bounded by residential properties and their associated curtilage, with its immediate neighbours on Cloutings Close being detached dwellings of a similar scale and design. The five residential properties within the enclave were permitted under planning application C/97/0234, approved in May 1997.

2.3. The subject dwelling does not sit within the Kelsale Conservation Area (which encompasses areas to the east of the B1121), the Suffolk and Essex Coasts and Heaths National Landscape, a Site of Special Scientific Interest, a flood zone, nor is it a Listed Building.

3. Proposal

3.1. The application seeks permission for a single storey side extension and a self-contained annexe.

3.2. The single storey side extension is to project from the north-western elevation of the main dwelling by approximately 3.285m. The extension is to have a lean-to roof and measure a maximum height of approximately 3.65m, with an eave's height of approximately 2.70m. The extension is to be fronted in red stock brickwork, with clay pantiles. One white uPVC

window is to be located to the front elevation and one to the rear elevation; with two rooflights also proposed.

- 3.3. The proposed annexe is to be situated to the south-east of the main dwelling, behind the existing garage. The annexe is to measure an area of approximately 40m², and will accommodate one bedroom, a shower room, and a shared kitchenette and living space. The annexe will have a maximum height of 4m, with an eaves height of 2.4m. The annexe would be finished in stained black horizontal weatherboarding on a red brick plinth and will have a pitched roof of slate with stained black eaves. Fenestration will be located to the western and northern facing elevations, as well as two roof lights in the northern facing roof slope.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Kelsale-cum-Carlton Parish Council	4 April 2024	26 April 2024
At the full Parish Council meeting held on Wednesday evening it was agreed by all the Council to object to this planning application, as it would set a precedent for the other properties in that area.		

5. Third Party Representations

- 5.1. Four representations of Objection have been received, raising the following concerns:
- The development would ruin the quietness of the area;
 - Lack of light into the annex;
 - The linear internal layout of the annex and lack of windows poses an evacuation risk;
 - The annex is in the lowest corner of a sloping plot and drainage of both surface water and sewage has not been addressed;
 - The proposed single-storey side extension is close to the neighbouring boundary fence and affects a brick wall which links the two properties;
 - The annex could be used as a holiday let, business, rental or sold separately that will generate more traffic, parking and access difficulties for neighbours;
 - The wastewater and sewage from the annex would have to travel upwards to the existing septic tank which may not be large enough to cope with the extra demand.
- 5.2. Concerns have also been raised over an existing covenant that restricts any new building or extensions, which was imposed as the time of development for all properties in Cloutings Close.
- 5.3. The full comments can be viewed on Public Access.

6. Publicity

None.

Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	12 April 2024	3 May 2024	General Site Notice

7. Planning policy

National Planning Policy Framework 2023

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.13 - Residential Annexes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

8. Planning Considerations

Principle - Residential Annexes

- 8.1. Policy SCLP:5.13 - Residential Annexes of the Suffolk Coastal Local Plan states that an annex to an existing dwelling will be supported where:
- (a) the annex is smaller in scale and ancillary to the host dwelling;
 - (b) does not involve the physical separation of the residential curtilage;
 - (c) no separate access is required;
 - (d) the annex is either an extension or is well related to the host dwelling
 - (e) in the case of a new build annex, it is not feasible to create the annex through an extension or the conversion of an outbuilding;
 - (f) There is sufficient off-road parking;
 - (g) There is no significant adverse effect on the landscape or visual amenity.
- 8.2. The policy also states that conditions or planning obligations will be applied to limit occupation to use as an annexe, and therefore to prevent future use as a separate dwelling.
- 8.3. When considering the proposal against the above criteria, the proposed annexe would remain smaller in scale to that of the existing dwelling, and is therefore deemed to be suitably ancillary to the host dwelling. The annex is to be positioned approximately 3.7m to the south-east of the main dwelling, and 0.68m south of the existing garage, therefore officers are content that the annex is well related to the host dwelling. There is no physical

separation of the residential curtilage proposed, nor a separate access to the proposed annex, thereby the proposal conforms to SCLP5.13b and c. The close sitting of the proposed annex in comparison to the main dwelling is judged to reduce the chance that the site could be subdivided in the future, which is also contrary to SCLP5.13.

- 8.4. There is no feasible alternative to creating an annex through an existing outbuilding, without removing some of the existing parking provision for the property. The property accommodates a double-bay garage and a driveway, which provides four parking spaces, and therefore adequate off-road parking at the property is provided (as per Policy SCLP7.2 and the Suffolk County Council Adopted Parking Standards).
- 8.5. Furthermore, officers are satisfied that the proposed annexe would not generate any significant adverse impacts on the visual amenity of the area, which will be discussed further below.

Design and Visual Amenity

- 8.6. Policy SCLP11.1 states that the council will support proposed development that demonstrates a clear understanding of the local character of the built environment. Therefore, the overall scale and character of house alterations and extensions should demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings.
- 8.7. The house alterations and extension SPD states that extensions and alterations to existing dwellings should respect the character and design of the original building.

Single-Storey Side Extension

- 8.8. The proposed single-storey side extension would project from the north-western facing elevation of the main dwelling, and would occupy space currently inhabited by a garden path and side gate. Whilst the extension would increase the massing of the property towards the north-western border, in mitigation, this boundary does not run parallel to the property, and instead splays out at the rear, thus leaving a larger space between the proposed development and the boundary as it extends to the rear. As such, this curtilage area is considered to be of an appropriate size in order to accommodate such an extension without appearing as overdevelopment.
- 8.9. Furthermore, the single-storey nature of the extension would not facilitate the dominance of the extension when read against the two-storey scale of the main dwelling. The lean-to roof would also allow the structure to smoothly merge into the property without creating an obvious physical separation between the extension structure and the main dwelling.
- 8.10. With regard to materials, the proposed single-storey side extension is to be fronted in red stock brickwork to match the existing found on the existing garage. This brick, whilst a new addition to the façade of the property itself, is not resisted, as it reflects the material used on other subsidiary additions to the property, and therefore reinforces the subservient nature of the extension.
- 8.11. Furthermore, given the modest scale of the extension, officers are satisfied the render of the main dwelling will remain the dominant material, which will soften the visual impact

and help preserve the character of the original dwelling. The use of matching clay pantiles and white uPVC for the windows proposed to the front and rear elevations would help to provide unifying elements between the extension and the main dwelling.

- 8.12. Due to the sitting of the dwelling at the corner of a private road located just off the Main Road, views of the property will remain limited to the enclave only. Nonetheless, the extension, with respect to its scale and design, is not judged to look overly prominent or unseemly when read from the streetscene. The proposed red brick is not a design feature considered to be out-of-place in the immediate area, given the presence of the existing garage. As such, officers are satisfied that the proposed extension remains sympathetic to the aesthetic and character of the existing building, as well as the surrounding residential area.

Residential Annexe

- 8.13. Turning to the proposed annexe, as mentioned above, it is considered to be appropriate in comparison to the scale of the main dwelling and will be read as suitably ancillary. The proposal is proportionate to the size of the plot and would not be considered as overdevelopment.
- 8.14. The annex is proposed to be fronted in stained black horizontal weatherboarding, which, whilst it does not visually correspond with the render of the main dwelling, is similarly not resisted. Indeed, black horizontal boarding is reflected on the front gable of the existing garage, which would sit in front of the proposed annexe. As such, the use of this material is judged to be an acceptable choice, as it would be consistent with the materials used on the existing ancillary building. The darker colour would also help to recess the annexe, allowing it to be clearly subservient when read from the surrounding streetscene.
- 8.15. Given the proposed positioning of this annexe behind the existing garage, only partial views of the development would be achieved from within the enclave; with these views increasing on approach to the property. However, officers are satisfied that due to the modest scale and the use of materials reflecting a similar appearance to the existing garage, the proposed annexe would have minimal impact on visual amenity of the streetscene and would thereby not adversely impact the aesthetic of the surrounding area.
- 8.16. Overall, both the proposed single-storey side extension and the residential annex are considered to be of an acceptable design and would not have a detrimental impact on the existing character host dwelling or the aesthetic of the wider area. This proposal is therefore deemed to be compliant with Policy SCLP11.1 - Design, the House Alterations and Extensions Supplementary Planning Document and the National Planning Policy Framework.

Impacts on neighbouring amenity

- 8.17. Policy SCLP11.2 states that the proposed development is required to be located and designed with regard to the amenity of both existing and future residents. It is also designed to prevent any adverse effects on neighbouring properties, such as overlooking, loss of privacy and loss of daylight or sunlight etc.

- 8.18. The host dwelling is considered to have two immediate neighbours, No.2 Cloutings Close to the north, No.4 Cloutings Close to the east, and Hedgerows to the south.

Single-Storey Side Extension

- 8.19. Due to the positioning of the side extension, residential amenity concerns would not be generated for the neighbouring No.4 or the Hedgerows; however, the extension would project towards the boundary with the neighbouring No.2, and therefore consideration must be given to any possible impact of the development on this dwelling.
- 8.20. Concerns have been raised regarding the side extension and its impact on a brick wall that connects the two properties. However, officers are satisfied that the modest scale of the development, together with the separation distance between the development and the shared boundary, which increases to the rear of the development, is sufficient enough not to contribute to any significant sense of overbearingness, nor likely to generate any residential amenity concerns through the loss of views, sunlight or daylight. The proposed side extension is also to be connected to the existing wall with a pier, which is considered to cause minimal impact.
- 8.21. Furthermore, given the proposed areas of glazing on the front and rear of the side extension would be situated at a ground floor level, and focused towards areas of the subject property's residential curtilage, no direct line of sight into any neighbouring residential amenity space would be generated, thus there would be no loss of privacy or overlooking. Similarly, the proposed rooflights to the northern facing roof slope of the extension would not facilitate any opportunities for overlooking into neighbouring private amenity space and will be used for lighting purposes only.

Residential Annexe

- 8.22. The proposed annex is to be positioned just 0.52m from the boundary with the neighbouring No.2 Cloutings Close, and 0.4m from the boundary with Hedgerows. Nonetheless, given the single-storey nature of this annex, together with the existing fencing and tall hedging - which would help to screen the majority of the views of the annexe from the residential properties, and the large separation distance between the annexe and the main neighbouring dwellinghouses, the proposal is not considered to be overbearing, nor likely to generate any residential amenity concerns through the loss of views, sunlight or daylight.
- 8.23. Similar to the above, all areas of glazing proposed to the annexe are to be located at a ground floor level, and face towards the subject dwellings residential curtilage; therefore, no new direct lines of sight into any private amenity spaces will be generated by the proposal. Furthermore, the proposed rooflights to the northern facing roof slope of the annexe would similarly not facilitate any opportunities for overlooking into neighbouring private amenity space and will be used for lighting purposes only.
- 8.24. Overall, whilst the Local Planning Authority can appreciate the concerns raised by the neighbouring properties, the proposal is not considered to compromise the residential amenity of surrounding dwellings, and therefore would comply with SLP11.2: Residential Amenity.

Other Matters

- 8.25. Concerns have been expressed over the future use of the annexe as a holiday let. However, it must be noted that if the annexe was to be used as a holiday let in the future, a further planning application would be required and would be assessed against the relevant policies at that time.
- 8.26. It has not been made clear at this stage how the annexe would connect to the main sewer. For a minor application such as this, this is not necessary and would be covered by the Building Regulations at the construction stage. Similarly, fire safety measures have not been included in this application, however this would also be covered by the Building Regulations at the construction stage.
- 8.27. Concerns have also been raised regarding the disruption of the proposed developments; however, given their minor scale, it is not considered reasonable for a construction management plan to be conditioned. Furthermore, concerns regarding additional parking have been expressed; however, the proposal does not require further parking provisions to be established at the property, as the dwelling already exceeds the maximum number of spaces required in the Suffolk County Council Adopted Parking Standards.
- 8.28. Some third-party representations have also noted the presence of a covenant, which restricts any new building or extensions for all properties in Cloutings Close. The Agent has since confirmed development is permitted if a plan is approved by the vendor, in this instance this is Hopkins and Moore. The covenant in question is a standard CP1 arrangement issued at the first purchase, and is only valid for a maximum of 10 years from issue, which is now out of date. Irrespective of this, it is considered to be a private matter between the owner and the previous seller. It is not a material planning consideration.

9. Conclusion

- 9.1. Overall, it is considered that the proposed scheme is of an acceptable scale and design that would not have an adverse impact on neighbouring amenity, nor the aesthetic of the surrounding area. The proposal is therefore considered to comply with the relevant planning policies, legislation and guidance listed above, therefore, the application is recommended for approval subject to conditions.

10. Recommendation

- 10.1. To approve, subject to the conditions below.

11. Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with:
- Drawing No. AB101 Location Site Plan, Block Plan (received 25.03.2024);
 - Drawing No. AB104 Proposed GF Plan of Annex (received 25.03.2024);
 - Drawing No. AB103 Proposed GF Plan (received 25.03.2024);
 - Drawing No. AB102 Proposed W, E, N, S Elevations on Annex. Proposed E, N, W Elevations on House (received 25.03.2024);
- ; 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 hereby permitted annex 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.

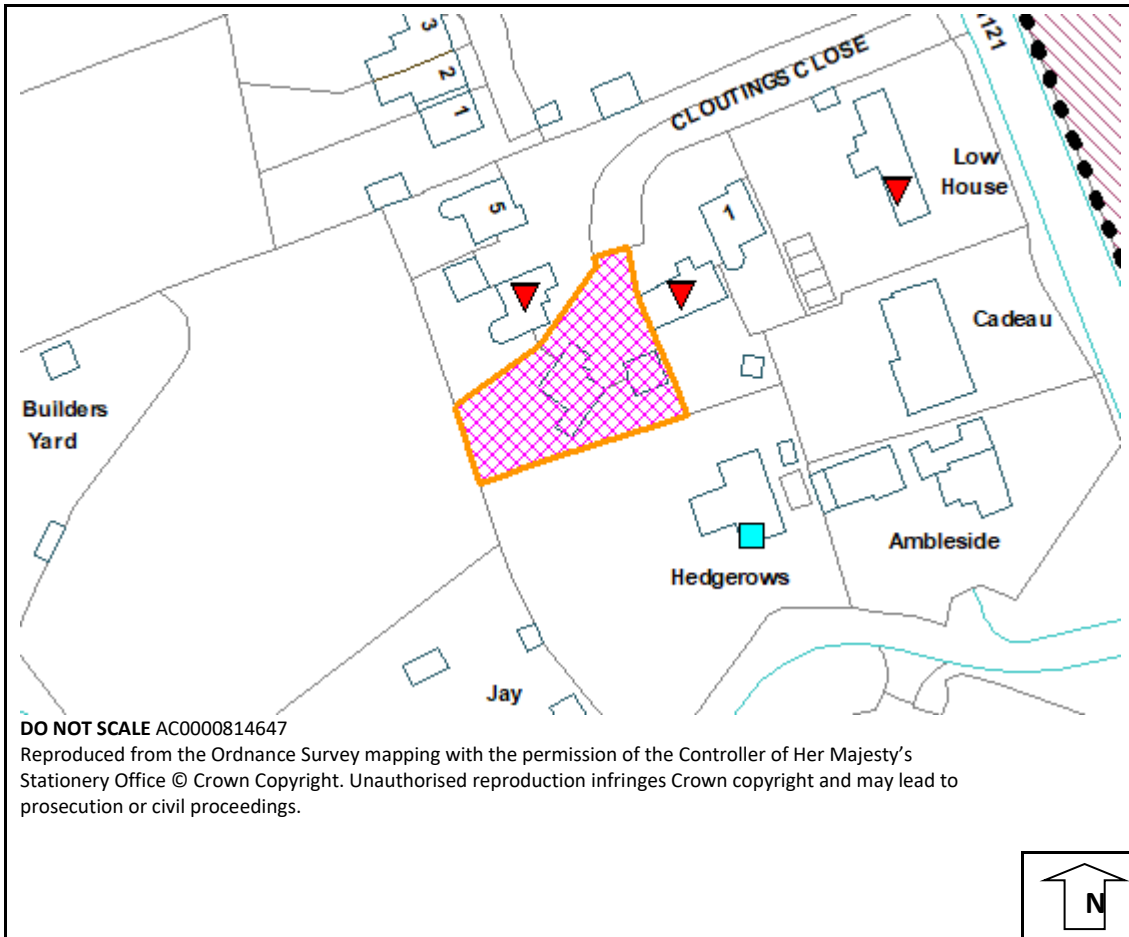
Informatives:

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.

Background information

See application reference DC/24/1124/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning committee - 11 June 2024

Application no DC/24/1111/FUL

Location

Jubilee Parade
The Esplanade
Lowestoft
Suffolk

Expiry date 30 May 2024
Application type Full Application
Applicant East Suffolk Council

Parish Lowestoft
Proposal Construction of single storey timber building along lower promenade
Case Officer Matthew Gee
01502 523021
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the construction of a single storey timber building along lower promenade for use by the Volunteer Lifeguard Corp. The proposed structure is considered to blend with the surrounding beach huts, and as such the impact upon the character and appearance of the area is acceptable. Furthermore, it would not excessively project out onto the promenade, nor would it impact upon the amenity of the area. It will provide a valuable space for the Volunteer Lifeguard Corp.
- 1.2. The application is therefore considered to comply with local and national planning policy, and as such it is recommended that planning permission be granted, subject to conditions.
- 1.3. East Suffolk Council are the applicant and thus the application is referred direct to planning committee (North) for consideration.

2. Site Description

- 2.1. The site is located within the South Lowestoft Conservation Area. The site forms part of the lower Promenade along Lowestoft Beach. The area is at the end of a row of beach huts running along the promenade to the south. To the east is the beach and north sea and to the west are the cliffs with the CEFAS Building sitting atop these.

3. Proposal

- 3.1. Planning permission is sought for the construction of a single storey timber building along lower promenade for use by the Volunteer Lifeguard Corp.
- 3.2. The structure will consist of 2 sheds side by side: one 5m x 2.5m; and one 5m x 2m - accommodating a store for lifeguard equipment and a look out / classroom.
- 3.3. The building will be treated with timber cladding externally with a proposed colour palette of red and yellow, which is the standard organisation colour ensuring their presence is visible to the area.

4. Consultations

Third Party Representations

- 4.1. No third-party letters of representation have been received

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	8 April 2024	26 April 2024
Summary of comments: The Planning Committee of Lowestoft Town Council considered this application at a meeting on 25 April 2024. It was agreed to recommend approval of the application.		

Consultees

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	18 April 2024	No response
Summary of comments: No comments received at the time of drafting this report.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	16 April 2024

Summary of comments:
No objections

5. Publicity

The application has been the subject of the following press advertisement:

Publication	Published date	Expiry date	Reason
Beccles and Bungay Journal	19 April 2024	10 May 2024	Conservation Area
Lowestoft Journal	19 April 2024	10 May 2024	Conservation Area

6. Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	17 April 2024	8 May 2024	Conservation Area

7. Planning policy

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2023 (NPPF)

Coastal Adaptation Supplementary Planning Document (East Suffolk Council, Adopted September 2023)

8. Planning Considerations

Principle of Development

- 8.1. The Local Plan notes the importance of the tourism sector to the area's economy and sets out to generally support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.2. Whilst the use would not directly drive economic growth, the Volunteer Lifeguard Corp are important in ensuring the safety of the beach for tourists, and as such they are an important part of supporting the tourist economy and wellbeing/safety of beachgoers.

Design and Conservation Area

- 8.3. Policy WLP8.29 sets out the local planning authorities design aspirations for new development within the local area, including that proposals should "demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness". With it going on to state that development should, respond to local context and the form of surrounding buildings in relation to:
- the overall scale and character
 - layout
 - site coverage
 - height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular
- 8.4. The site is situated within the South Lowestoft Conservation Area, and as such policy WLP8.39 stipulates that development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. This reflects the statutory duties of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and heritage objectives of the NPPF.
- 8.5. The building will consist of 2 sheds joined together, and as such the overall appearance will be somewhat utilitarian in appearance. However, the building will be treated with timber cladding externally with a proposed colour palette of red and yellow which is the standard organisation colour, ensuring their presence is visible to the area. The use of materials along with the colours are not uncommon along the promenade and in beach locations such as this, and the building is also of a low profile. As such it is not considered that the structure would cause any visual harm to the character and appearance of the Conservation Area.

Amenity

- 8.6. Policy WLP8.29 sets out that proposed development should, amongst other things, protect the amenity of the wider environment, neighbouring uses, and provide a good standard of amenity for future occupiers of the proposed development. The nearest residential properties would also be located approximately 160m from the proposed structure. Given its low profile and form, the development would not result in any adverse amenity impacts to the area.

Flood Risk

- 8.7. The site is located in close proximity to the North Sea, and therefore part of the site falls within Flood Zones 2 and 3, but when accounting for climate change there is likely to be increased flood risk in the area. A Flood Risk Assessment that covers the wider development site has been submitted. Officers consider that whilst there is a high level of

risk from flooding to the proposed development, it is by its very nature a building that is required to be located in this position and it is not a vulnerable use.

- 8.8. The risk to life is deemed low given its proposed use a lifeguard station. However, a condition will be attached requiring the building to be anchored to the ground to reduce risk that it could become a danger during a severe flooding event.
- 8.9. The Environment Agency have been consulted as part of this application but have provided no response at this time.

Coastal Erosion

- 8.10. The Coastal Erosion Vulnerability Assessment (CEVA) has been prepared in the required format and has made references to appropriate parts of Shoreline Management Plan documents and the Coastal Adaption Planning Guidance Document.
- 8.11. The key findings are that the currently wide beach is likely to erode overtime and expose the frontage to more aggressive wave overtopping during storms. However, the current policy intent is to maintain a seawall on the current line to at least 2105.
- 8.12. The CEVA is therefore accepted as evidence that the applicant has a good awareness of erosion risk, and that the development will not cause significant negative impacts on coastal management interests. The scheme is therefore acceptable in accordance with WLP8.25.
- 8.13. When comments from the Coastal Management Team have been received, they will be reported to Members via the update sheet. If not received prior to Committee then officers recommend approval subject to no objections being raised.

9. Conclusion

- 9.1. The National Planning Policy Framework sets out the statutory status of the development plan as the starting point for decision-making and requires a presumption in favour of sustainable development. The development is considered to have an acceptable impact upon the character and appearance of the area and would not adversely impact upon amenity of pedestrian movement in the area. It brings public benefit in providing a useful space for the Volunteer Lifeguard Corp. Therefore, the proposed development is considered to accord with the Development Plan and is recommended favourably.

10. Recommendation

- 10.1. Authority to approve with conditions subject to no objections being received from the Environment Agency and Coastal Management Team, and the conditions set out below:

11. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Site Location Plan, 250 P1, received 20/09/2023,
 - Proposed Site Plan, 252 P1, received 20/09/2023,
 - Proposed Temporary Food Container Elevations, 255 P1, received 20/09/2023,
 - Existing and Proposed Temporary Toilet Elevation, 256 P1, received 20/09/2023,
 - Existing and Proposed Temporary Toilet Plan, 254 P1, received 20/09/2023,
 - Existing and Proposed Temporary Food Container Plan, 253 P1, received 20/09/2023,
 - Proposed Temporary Facilities Planning Supporting Statement, P2, received 20/09/2023,
 - Flood Risk Assessment Addendum, 218414-MR-00-XX-RP-C-003, received 02/10/2023

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

3. The container on the site will be securely anchored to the ground to ensure that the container will remain in position throughout any flood event.

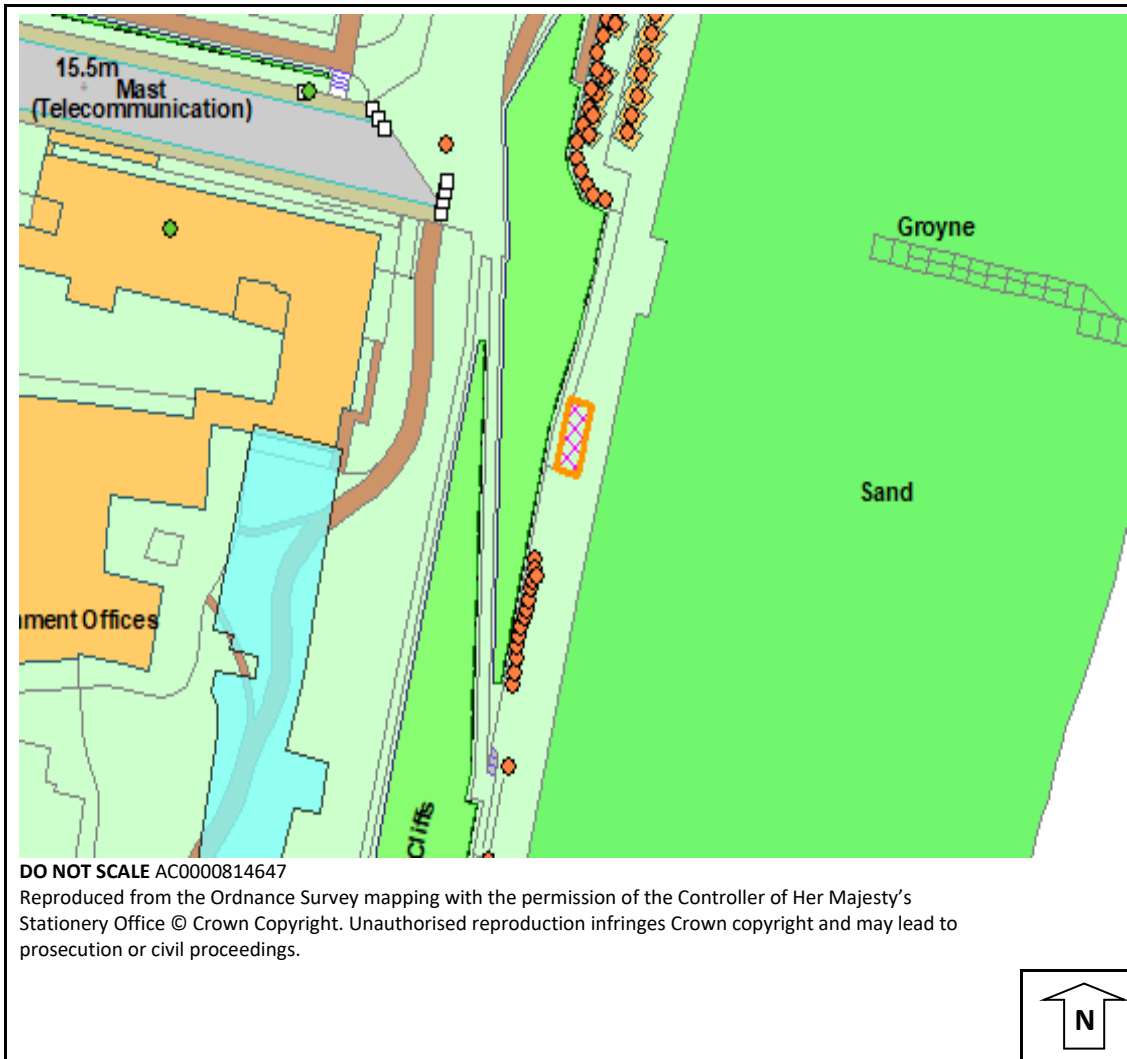
This anchoring shall be fully implemented prior to first use, and thereafter the building shall remain anchored to the ground as long as it remains in-situ.

Reason: To prevent damage to the surrounding area in the event of a flood.

12. Background information

See application reference DC/24/1111/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 June 2024

Application no DC/24/1177/FUL

Location

Dip Farm Car Park
Corton Road
Lowestoft
Suffolk
NR32 4PL

Expiry date 3 June 2024

Application type Full Application

Applicant Mrs Denise Davey

Parish Lowestoft

Proposal Siting of a shipping container on Dip Farm concrete car park to serve as a workshop/tool storage and volunteer hut for Friends of Dip Farm sized as 3.048 metres by 2.438 metres.

Case Officer Katherine Rawlins
01502 523018
Katherine.Rawlins@eastsoffolk.gov.uk

1. Summary

- 1.1 The application seeks consent for a temporary period to locate a shipping container on part of the carpark at Dip Farm, Lowestoft, for the storage of tools and as a volunteer hub.
- 1.2 The application is referred to Planning Committee as the landowner is East Suffolk Council.
- 1.3 It is considered that the proposal is compliant with local and national planning policy, and as such it is recommended that planning permission be granted subject to conditions.

2. Site Description

- 2.1 The site is a concrete hardstanding/carpark that is located at Dip Farm, Lowestoft, which is run by a group of volunteers and a community group, Friends of Dip Farm, as an area of open space and nature trails for use by local residents and the public.
- 2.2 The site area edged red is a carpark located in the northern extent of the wider Dip Farm site and measures 0.94ha. The site is situated close to Pleasurewood Hills Theme Park, which is located to the north of the application site.
- 2.3 The site was formerly a pitch and putt golf course, which closed in 2018, and is now an area of public open space and is an Asset of Community Value.
- 2.4 The site is located to the west of Gunton Warren County Wildlife Site and Gunton Warren and Corton Woods Local Nature Reserve (LNR), on the opposite side of Corton Road. Corton Woods Local Nature Reserve is located to the north of the carpark.

3. Proposal

- 3.1 Permission is sought for a specified temporary period to locate a shipping container on part of the carpark for the storage of tools and as a volunteer hub.

4. Consultations/comments

- 4.1 2 representations in support of the application:

- Excellent example of a community group and assets – volunteers allow playing fields to be used all year;
- Residents and visitors can enjoy the space and natural habitat;
- FODF regularly commit to litter picks;
- Waveney FC supports storage container – need for volunteers to have equipment close to hand;
- Valuable community service;
- Responsible for the upkeep of the area – secure storage for tools and equipment will assist in Friends endeavours;
- Location is of minimal detriment to carpark users; and
- Visual impact will be negligible, subject to suitable colour.

Consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	9 April 2024	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	9 April 2024	18 April 2024
Summary of comments: Based on the available information the proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats or species (under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). The development does not require mandatory BNG.		

5. Publicity

5.1 The application has been subject to the following publicity:

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	12 April 2024	3 May 2024	General Site Notice

6. Planning policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states “where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”. The Development Plan is the Adopted Waveney Local Plan (2019).

6.2 National Planning Policy Framework (NPPF) (2023)

6.3 The following policies are considered relevant:

- WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

- WLP8.22 - Built Community Services and Facilities (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.34 – GeoBiodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

7. Planning Considerations

Principle

- 7.1 The application site is not located within the settlement boundaries of Corton, to the north, or Lowestoft, to the south, and is therefore located in an area of designated countryside for the purposes of the Development Plan. In such locations, there is a general presumption against most forms of development, except where specific policies of the Development Plan indicate otherwise.
- 7.2 Dip Farm is a registered Asset of Community Value - its main use furthers the social wellbeing or social interests of the local community . Regard is therefore had to policy WLP8.22 of the Adopted Waveney Local Plan (2019). The policy supports proposals for new community services and facilities, provided it meets the needs of the local community, is of proportionate scale, well related to the settlement in which it serves and would not affect existing facilities that are easily accessible and available to the local community.
- 7.3 This proposal relates to the use of a small area of the main carpark, in the northern extent of the wider site at Dip Farm, to locate a shipping container for a temporary period.
- 7.4 The Friends of Dip Farm is a community group of volunteers that runs DIP Farm as an area of green, open space and woodland with café, containing nature trails and walks. It is a well-established community use therefore, albeit it is in the form of an area of public open space containing nature trails and walks as a space that is accessible for local residents to use and enjoy throughout the year. The Friends of Dip Farm is supported by East Suffolk Council. It is proposed that the shipping container would be padlocked whilst not in use, and that it would be accessible to volunteers for the storage of tools/equipment and as a volunteer hub between 9-5pm Monday-Friday, and 9.30-midday Saturday. The statement adds that no mains electricity or water would be provided; hence, it would be an ancillary building used in conjunction with the main community use of the land.
- 7.5 A supporting statement by the applicant refers to the need for the shipping container for the storage of tools and to act as a focal point as a volunteer hut for the Friends of Dip Farm. It is stated that the shipping container would be temporary but is expected to be in place for a number of years. The shipping container would be of metal construction and measure 3 metres in height and width, coloured green. The proposal would therefore provide ancillary storage of tools and a volunteer hut, albeit on a temporary basis, for a well-established community facility that serves the needs of the wider locality.

Design and Amenity

- 7.6 Policy WLP8.29 requires development to:
- To respond to local context and form of surrounding buildings in relation to overall scale, layout,
 - site coverage and height and massing of existing buildings;

- The relationship between buildings and the wider streetscene;
- To protect the amenity of the wider environment and neighbouring uses;
- Take into account important landscape of topographical features/retain/enhance semi-natural features on site.

7.7 The site and immediate locality is semi-rural in character and is set well back from the main road to the east (Corton Road, B1385) and is screened by trees along the eastern site boundary. There is a mature tree belt to the north beyond which is Pleasure Wood Hills, and the land to the south contains trees, open space, and nature trails. There are a number of small wooden cabins/huts located adjacent to the carpark that serves visitors to the Farm. The concrete carpark/hardstanding is on a flat area of the site, and there are trees and natural landscape features abutting the main carpark.

7.8 Whilst the use of the land for the siting of a metal shipping container would not generally be considered suitable as a permanent design solution in this semi-rural location, outside a designated settlement boundary, it is considered that temporary planning permission could be granted for a period of 5 years, as it would support the wider community use of the site as an Asset of Community Value. Although the shipping container would be clearly visible from views within the carpark, this part of the site is also well screened in wider public views from outside the application site, and no removal of trees, vegetation or hedgerow would be required for the temporary siting of the shipping container.

7.9 The proposal therefore complies with policy WLP8.29.

Loss of Parking

7.10 The proposal would result in a small area of the carpark being used for the temporary siting of the storage container. There are no demarcated parking bays or TROs in force in this location, and the loss of a small area of the carpark (of between 1-2 bays) is outweighed by the wider public benefits of providing ancillary storage/volunteer hub for use by volunteers of Dip Farm. Furthermore, as this is a temporary consent, the impact on parking provision could be reviewed in the future.

Ecology

7.11 Policy WLP8.34 states that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey undertaken by a suitably qualified person. If present, the proposal must be sensitive to and make provision for their needs.

7.12 The site is located to the west of Gunton Warren County Wildlife Site and Gunton Warren and Corton Woods Local Nature Reserve (LNR), on the opposite side of Corton Road. Corton Woods Local Nature Reserve is located to the north of the carpark.

7.13 The carpark is located in an area of public open space and nature reserve containing woodland, grassland. As this application does not seek to undertake development that would require the clearance of vegetation or habitat, or the conversion of a disused building, no Preliminary Ecological Appraisal is submitted in support of the application.

7.14 The application has been reviewed by the Council's Ecologist, who is satisfied that on the basis of the available evidence and information, the temporary siting of a shipping container on part of the carpark as ancillary storage/volunteer hub, is unlikely to result in a significant adverse impact on protected species, or UK Priority Habitat or Species (under Section 41 of the NERC Act) or require mandatory Biodiversity Net Gain. The small nature of the proposal would not adversely impact statutory and non-statutory designated nature conservation sites.

8. Recommendation

8.1 Approve.

9. Conditions:

1. The development hereby permitted shall be for a maximum period of 5 years from the date of this permission, after which time the shipping container hereby permitted shall be removed to the satisfaction of the Local Planning Authority and the land reinstated to its former condition.

Reason: Having regard to the non-permanent nature of the structure. A temporary permission is justified in this particular case, as the site is located in an area of designated countryside, outside a settlement boundary, in which there is a general presumption against development, in a location where the permanent siting of a shipping container would not normally be supported on design grounds.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan, Proposed Block Plan and Supporting Statement received by the Local Planning Authority 24 March 2024, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

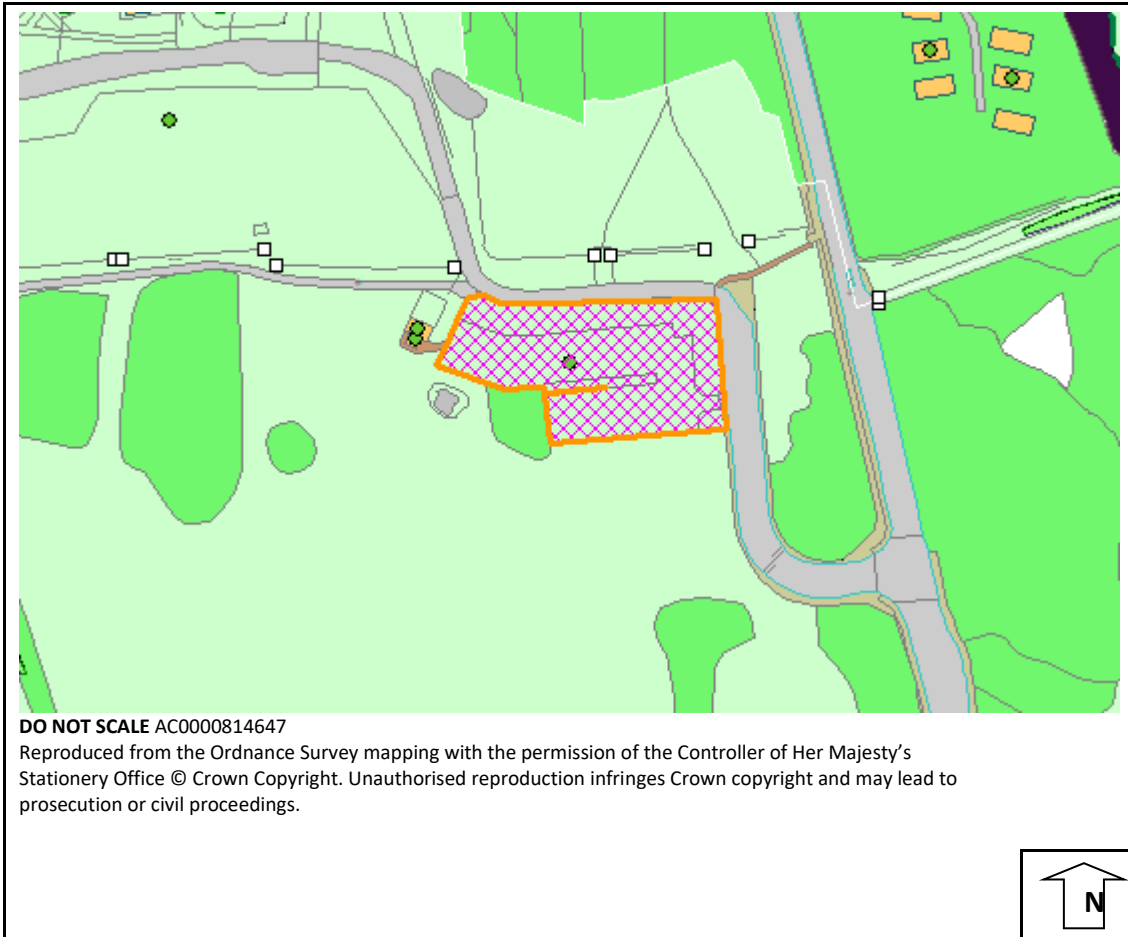
3. The materials and finishes shall be as indicated within the submitted application unless otherwise agreed in writing with the local planning authority.

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

Background information

See application reference DC/24/1177/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 June 2024

Application no DC/24/0177/FUL

Location

365 London Road South
Lowestoft
Suffolk
NR33 ODY

Expiry date 14 May 2024
Application type Full Application
Applicant Mr Leonard James

Parish Lowestoft

Proposal Removal of the back window to rear dining room to allow for a level access threshold door to be fitted, a Modula ramp and platform to be fitted on the existing path, the old back door is to be blocked up the attached window will be replaced with a UPVC double glazed unit.

Case Officer Daniel Bailes
01502 523022
daniel.bailes@eastsoffolk.gov.uk

1. Summary

- 1.1 Planning permission is sought for the installation of a modula access ramp and associated alterations. The proposal accords with the relevant policies of the Local Plan and the application is recommended for approval.
- 1.2 The application is being presented to Planning Committee as the application has been submitted by East Suffolk Council.

2. Site Description

- 2.1 The site is a two-and-a-half storey mid terraced dwelling located within the settlement boundary of Lowestoft and the South Lowestoft and Kirkley Conservation Area. London Road South is characterised as a historic turnpike road lined with mostly C19 terraced properties.

3. Proposal

3.1 The proposal is for the removal of a window on the rear elevation to allow for a level access door to be fitted along with a modular ramp and platform. The existing rear door will be blocked up and the attached window would be replaced.

4. Consultees

Third Party Representations

4.1 There have been no third-party representations received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	25 March 2024	16 April 2024

Summary of comments:
The Planning Committee of Lowestoft Town Council considered this application at a meeting on 11 April 2024. It was agreed to recommend approval of the application as long as the location was not in the flood zone and the works were compatible with development in a conservation area.

5. Site Notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	2 April 2024	23 April 2024	Conservation Area

6. Publicity

The application has been the subject of the following press advertisement:

Publication	Published date	Expiry date	Reason
Beccles and Bungay Journal	5 April 2024	26 April 2024	Conservation Area
Lowestoft Journal	5 April 2024	26 April 2024	Conservation Area

7. Planning Policy

- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

- National Planning Policy Framework 2023 (NPPF)

8. Planning Considerations

Design and Conservation Area Considerations

- 8.1 The application seeks to make improvements and alterations to rear of 365 London Road South, Lowestoft. The existing rear door is to be blocked up with matching brick and the existing attached wooden window would be replaced with UPVC. The existing window on the rear elevation would be removed and a new UPVC door would be installed with a new opening to be created above the internal floor height. The modular ramp would be fitted to the existing path, adjacent to the existing rear projection of the dwelling. As the alterations to the rear elevation of the dwelling would not be visible from the streetscene or the conservation area, the design and materials are considered to be acceptable.

Neighbour Amenity

- 8.2 Although the proposal would result in the creation of a raised platform, when considering its low height and its use as a means of access into the dwelling, it is deemed unlikely have a significant impact upon neighbour amenity. There have been no objections received by neighbours at consultation.

9. Conclusion

- 9.1 All design and amenity matters have been considered and accord with Waveney Local Plan policies WLP8.29, WLP8.37 and WLP8.39. The proposal is acceptable in all respects and permission can be granted.

10. Recommendation

- 10.1 Approve with conditions.

11 Conditions:

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

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

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

- Site Location Plan; received 17/01/2024,
- Proposed Access Layout; received 12/02/2024,
- Existing Window to Proposed Door Drawing; received 12/02/2024,
- Existing Window and Proposed Window Drawing; received 12/02/2024.

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

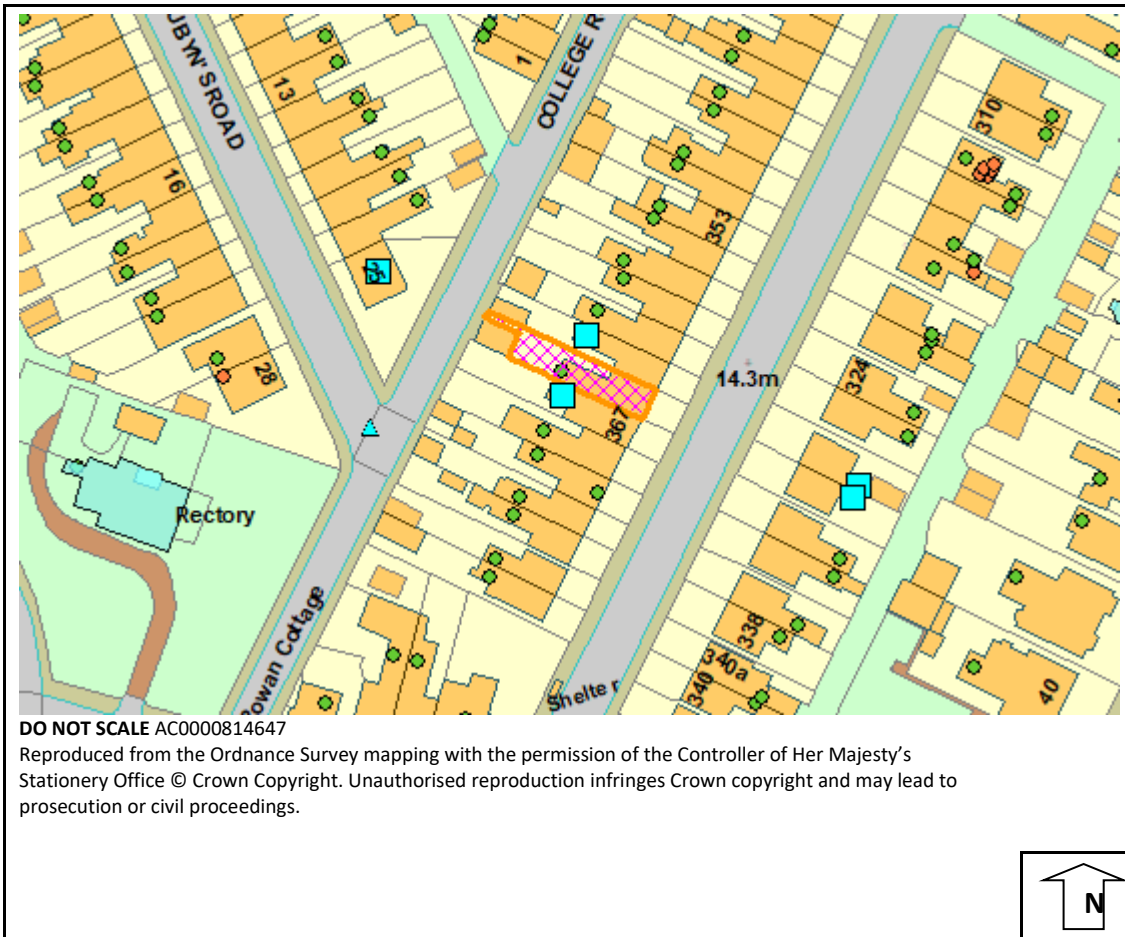
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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





Background Papers

See application reference DC/24/0177/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

Committee Report

Planning committee - 11 June 2024

Application no DC/24/1001/FUL

Location

32 Mount Pleasant
Halesworth
Suffolk
IP19 8JF

Expiry date 13 May 2024

Application type Full Application

Applicant Mr Peter Bromfield

Parish Halesworth

Proposal Single storey side extension

Case Officer Annabelle Greenwood
01502 523019
annabelle.greenwood@eastsoffolk.gov.uk

1. Summary

- 1.1. This application is for a single storey side extension to 32 Mount Pleasant. The extension is acceptable in terms of design and amenity in accordance with the Development Plan and therefore recommended for approval.
- 1.2. The application is being presented to Planning Committee due to the property being in East Suffolk Council ownership.

2. Site Description

- 2.1. 32 Mount Pleasant is a single storey, end of terrace bungalow located within the settlement boundary of Halesworth. The property is located within a built-up residential area, fronting Mount Pleasant to the north. Located to the east of the application site is the adjoining terrace house 33 Mount Pleasant. To the south of the site is neighbouring property, 6 Parry Closes' Garden, beyond this lies a railway line. Sharing the western boundary of the application site is an area of overgrown land, which also lies within the ownership of East Suffolk Council.

3. Proposal

3.1. The application seeks the approval for a single-storey side extension to 32 Mount Pleasant.

4. Consultations

4.1. No third-party representations received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Halesworth Town Council	25 March 2024	24 April 2024
Summary of comments: The Planning & Highways Committee of Halesworth Town Council have no objections to this application.		

5. Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	4 April 2024	25 April 2024	General Site Notice

6. Planning policy

National Planning Policy Framework 2023 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Policy HAL.DH1: Design (Halesworth Neighbourhood Plan, 'Made' February 2023)

7. Planning Considerations

7.1. Policy WLP8.29 Design states that '*Development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should: Demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness; Respond to local context and the form of surrounding buildings in relation to the overall scale and character, layout, site coverage, height and massing of existing buildings, the relationship between buildings and spaces and the wider street scene or townscape and by making use of materials and detailing appropriate to the local vernacular. Protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.*'

7.2. The proposed single-storey side extension will extend out from the west elevation of the property and have a width and depth of approximately 5m. The height of the eaves will measure approximately 2.5m and the pitch 3.9m, sitting visually recessive to the dwelling.

The proposed materials comprise of face brickwork to the walls and slate to the roof. The proposed materials are acceptable and relate well to the building and its context.

- 7.3. With the extension proposed on the west elevation of the property, and 32 Mount Pleasant being the end of a row of terrace bungalows, with unoccupied land to the west of the application site, there will be no harm to neighbouring amenity. As the extension is single storey the proposed windows will be at ground level, there will be no harmful overlooking. Therefore, it is considered that the proposed extension would have no adverse impact on neighbouring amenity and is in accordance with Policy WLP8.29

8. Conclusion

- 8.1. In conclusion, the proposed single storey side extension does not have any impact on neighbouring amenity and is sympathetic to the character of the building and wider street scene. Therefore, the proposal complies with relevant development plan policies and the National Planning Policy Framework.

9. Recommendation

- 9.1. Approve with conditions.

10. 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 and Proposed Block Plan (GDS17233/35), Existing and Proposed Floor Plans (GDS17233/33) and Existing and Proposed Elevations (GDS17233/31); received 18 March 2024;, 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.

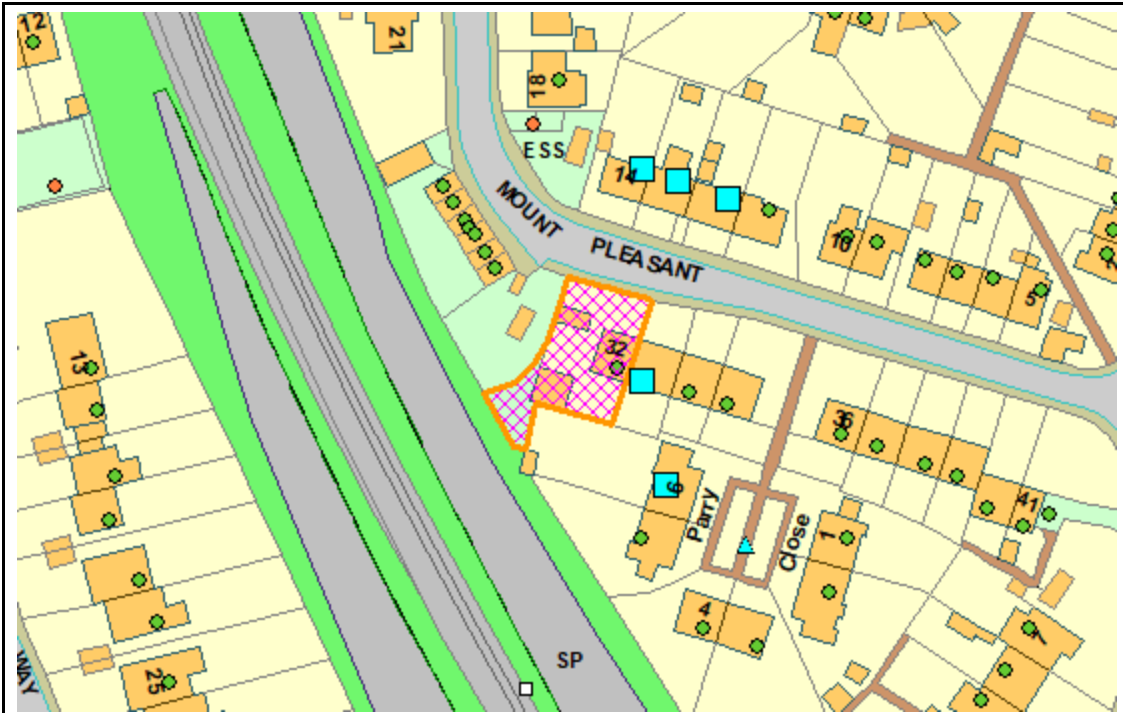
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

11. Background information

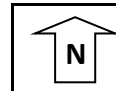
See application reference DC/24/1001/FUL on [Public Access](#)

Map



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Key



Notified, no comments received



Objection



Representation



Support