

**Unconfirmed**



Minutes of a Meeting of the **Strategic Planning Committee** held in the Conference Room, Riverside, on **Monday, 08 April 2024** at **10:30 AM**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Peter Byatt

**Officers present:** Katy Cassidy (Democratic Services Officer), Andrea McMillan (Interim Joint Head of Planning), Bethany Rance (Senior Planner - Energy Projects), Philip Ridley (Head of Nationally Significant Infrastructure Planning), Katherine Scott (Principal Planner (Development Management, Technical Lead)) , Alli Stone (Democratic Services Officer), Isaac Stringer (Assistant Planner), Ben Woolnough (Interim Joint Head of Planning), Karolien Yperman (Design and Heritage Officer)

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor McCallum and Councillor Smithson. Councillor Byatt attended as substitute for Councillor Smithson.

**2 Declarations of Interest**

Councillor Ewart declared a Non-Registerable interest in item four as a member of the Leiston Patient Participation Group.

**3a Minutes - January 2024**

**RESOLVED**

That the minutes of the meeting held on 8 January 2024 be agreed as a correct record and signed by the Chair.

### **3b Minutes - February 2024**

#### **RESOLVED**

That the minutes of the meeting held on 27 February 2024 be agreed as a correct record and signed by the Chair.

### **4 Energy Projects Update**

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

The Cabinet Member stated that projects were at various stages in development, and the Council engaged as and when appropriate. Even out of district proposals would impact residents and businesses in East Suffolk and meetings were being held on the ramifications of these.

The Cabinet Member provided an update on Lionlink which was currently in the pre-application stage. The EIA Scoping Report Consultation for this project had just closed and the Council had responded to this with a technical document and a summary letter to the Planning Inspectorate outlining the Council's comments and objection to the current proposal. The Council's response covered concerns around a discounting of offshore options and coordination with other projects.

The Cabinet Member provided an update on Sizewell C. Formal commencement occurred on 15 January 2024. Discharging of requirements was ongoing, and East Suffolk Council was working with Suffolk County Council, Environment Agency, Natural England and others on this. There were various forums around Sizewell C which the Council was engaging with. There were some issues with the format of the meetings, and with the works tracker, which the Council was raising with Sizewell C.

The Cabinet Member provided an update on the Offshore Coordination Support Scheme. The East Anglia study had concluded in March 2024. This assessed ten network configuration options to transfer power across the region. All of these options had used Friston as a key point, and the Cabinet Member had questioned why this was the case when the demand was further south.

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

The Chair invited questions.

Following a question on the involvement of the Council in the forums for Sizewell C, the Cabinet Member confirmed that the forums included representatives of the Council, but if any members representing affected areas wished to be more involved then they could be. The minutes of these meetings were available to see on the Council's website.

In response to a question on the Council's engagement on NSIPs with neighbouring authorities, the Cabinet Member agreed that the Council should be engaging with neighbouring councils so we could act together around these projects.

The Cabinet Member confirmed that the Council was continuing to push for coordination between energy projects at every opportunity, and continuing to engage with each project, and government about strategic coordination. The Government had been slow to support this, but incentives were now coming forward, including through the OCSS.

Following a question on funding arrangements for Sizewell C, the Cabinet Member stated that at present no Final Investment Decision had been reached, and the government had committed substantial funds to the project ahead of that point. Sizewell C Ltd were still seeking funding from other investors. There was still uncertainty around the funding.

The Cabinet Member, supported by the Head of Nationally Significant Infrastructure Planning, confirmed that the Sizewell C Annual Community Forum was primarily for invited representatives. The Head of Nationally Significant Infrastructure Planning noted that all minutes from forums could be found on East Suffolk Council's website.

Following a question from Councillor Ashdown on a recent research report by BGN that found that 49% of people would support hypothetical new transmission infrastructure in the local areas, the Cabinet Member stated he had not studied this report and so could not comment on this.

The Cabinet Member stated that East Suffolk Council had engaged with Town and Parish Councils prior to submitting their response to the SeaLink consultation, and that ward Councillors would continue to be engaged with regard to responses going forward.

The Cabinet Member received questions on Sizewell C traffic mitigation measures, Deed of Obligation commitments, worker healthcare provision, town and parish council representatives of transport forums, and the recent visit to Hinkley Point C.

In response to a question on transport associated with the Sizewell C project, the Cabinet Member noted that requests for lower speed limits and traffic calming measures had been requested by various parties for a long time. The Deed of Obligation meant that Sizewell C were charged with carrying out the development as consented and delivering certain commitments and roles, and any issues with this should be raised with them directly. The Cabinet Member stated he did have good contact with Sizewell C and could pass these on. The Cabinet Member also noted members of the public could visit the Sizewell C office to flag up issues directly to them.

Responding to a question about interconnectors and the village of Friston, the Cabinet Member stated that the first connection agreement had been given by National Grid to Scottish Power Renewables for the East Anglia One North and East Anglia Two projects. LionLink as a project was also looking at the proposed Friston substation to be included in their application for development consent, independent of any connection

agreement made with National Grid about the East Anglia One North and East Anglia Two projects. There was uncertainty at the minute. The Cabinet Member confirmed multiple projects were looking at connecting at Friston with associated infrastructure.

The Cabinet Member stated that the Council wanted a proper coordinated approach across the projects, using offshore connectors and brownfield sites as much as possible. The Cabinet Member noted this was set out in the recent motion to Full Council, seeking a properly considered offshore alternative, and stressing a preference for offshore coordination to seek brownfield landfalls. The initial agreement to use Friston was very opaque which is why there was so much confusion here. East Suffolk Council had written to the Secretary of State regarding offshore alternatives for LionLink and would continue to do so.

In response to a question about Bradwell and potential use for energy projects, the Cabinet Member stated that the alternative site at Bradwell had been proposed for a nuclear power station but various obstacles had been put forward. The Cabinet Member noted it had been said that if Bradwell was used for energy development, grid reinforcement would still be needed elsewhere.

In response to a question about the environmental impact of LionLink offshore verses onshore, the Cabinet Member stated that one of the reasons given by National Grid for not going fully offshore had been that the environmental impact offshore would be greater than onshore, but noted no comparative analysis had been done. The Head of Nationally Significant Infrastructure Planning noted this could be raised in dialogue with the Marine Management Organisation, the statutory body with primary responsibility for offshore environments.

## **5 Confirmation of the new Article 4 directions in the North Lowestoft and South Lowestoft/Kirkley Conservation Areas**

The Committee received report **ES/1905** of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management. Councillor Yule introduced the report and stated that consultation on the North Lowestoft and South Lowestoft/Kirkley Conservation Areas had now concluded. Consultees, including Lowestoft Town Council, had agreed that this should go forward and that the area should be protected. Councillor Yule emphasised that this applied to houses only, not commercial properties or flats. Some consultees had expressed concern around how this would impact renovations and whether costs would increase due to limits on the kind of materials that could be used. Issues around inconsistent planning enforcement had also been raised. Councillor Yule stated that by confirming these directions this would give officers the ability to be more consistent and robust.

The Chair invited questions.

Regarding window replacement specifically, Councillor Yule recognised that there had been a lot of concern about what this would mean. Officers stated that they had no information on authorities allowing U-PVC windows in conservation areas. Hardwood windows were longer lasting and it was difficult to replicate the look of historic windows with U-PVC. These directions did only cover the front of buildings and street scenes, so options for other windows could be considered on other parts of buildings.

There was a thorough historical supplementary planning document which provided guidance on issues like this.

Councillor Yule stated that the Council did not have the option to lower or remove fees for planning applications which would have previously been allowed in this area under permitted development rights. Officers stated that this used to be free, but had been changed. The Council would provide as much information as possible at pre-application stage for applications like this to help people make good applications. Councillor Yule noted the Committees concerns.

In response to a question regarding potential confusion on these rules applying only to residential housing, and what could be done to protect commercial buildings, Councillor Yule stated that the Council needed to take small steps toward this rather than taking a strong arm approach. Officers confirmed that photographs of these building would be taken and used as an internal database for planning officers, there would be data protection considerations but the team could consider how these could be shared as a historical record.

Councillor Yule moved the recommendations in the report which were seconded by Councillor Ashdown. There being no debate it was by a unanimous vote

## **RESOLVED**

That the Strategic Planning Committee:

1. Agrees to confirm the new Article 4 directions in the North Lowestoft Conservation Area and the South Lowestoft/Kirkley Conservation Area, to take effect on 15th April 2024, on which date the existing Article 4 directions are cancelled and superseded.

## **6 Planning Performance Report - 1 October 2023 to 31 December 2023**

The Committee received report **ES/1906** of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

The Principal Planner (Development Management, Technical Lead) stated that the Council was on target to achieve overall two year figure. The Interim Joint Head of Planning reminded the Committee that the government was consulting on an accelerated planning service which would speed up some parts of the application process, the Council would respond to this and would engage with Councillors through Cabinet Member with responsibility for Planning and Coastal Management.

There being no questions, Councillor Yule moved the recommendation in the report, which was seconded by Councillor Packard. The Chair invited the Committee to debate the proposals.

There being no debate it was by a unanimous vote

## **RESOLVED**

That Strategic Planning Committee:-

That the report concerning the performance of the Development Management Team in terms of the speed of determining planning applications is noted.

### **7 Enforcement Performance Report - October to December 2023**

The Committee received report **ES/1907** of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the enforcement section of the Development Management Team.

The Chair invited questions.

Regarding timescales and delays in the enforcement process, Councillor Yule stated that the team were aware of the significant number of older cases to clear here. The Interim Head of Planning and Coastal Management stated that a report had previously been received on the Enforcement Improvement Action Plan and this was being worked through. An update on this would be presented to the June meeting of the Committee.

The Interim Joint Head of Planning updated the Committee on the Levelling Up and Regeneration Act enforcement – presentation had been given on this at the last committee. These changes had now progressed and would be coming into force from 25 April. This would include a change specifically for heritage matters on temporary stop notices, where previously they had only been for planning permission. The time period stop notices would be in force had also been increased from 28 to 56 days, which would allow more time to get situations under control. The four year period for residential building enforcement would also increase to ten years. A new enforcement warning notice was also being introduced which would allow the Council to served a notice where there had been a breach, but the applicant had been invited to submit a retrospective planning application. There were also changes to the appeal process, and appeals could be dismissed if there were delays from the appellant. Councillor Yule recognised that this was quite a lot of changes and asked if there could be a briefing on this for Councillors.

Following a question on how this related to process for the demolition of buildings, and the protection of buildings from demolition. The Interim Joint Head of Planning stated that there were no changes under this Act, but changes might come in the future. Councillor Yule stated it was important for residents to raise any issues relating to potential for demolition and the need to protect buildings as soon as possible so the Council could act.

The Interim Joint Head of Planning stated that if people did not apply for planning permission for retrospective developments when invited, the new enforcement warning notice would record that there was an unauthorised development but it was

likely to get consent. The extension of enforcement from four to ten years would also provide a further push for people to get consent for work.

Councillor Yule moved the recommendation in the report, which was seconded by Councillor Gee. The Chair invited the Committee to debate the proposals.

There being no debate it was by a unanimous vote

## **RESOLVED**

That Strategic Planning Committee note the content of the report.

### **8 Appeal Performance Report - 8 December 2023 to 10 March 2024**

The Committee received report **ES/1908** of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the enforcement section of the Development Management Team.

Councillor Yule moved the recommendation in the report, which was seconded by Councillor Ninmey. There being no debate it was by a unanimous vote

## **RESOLVED**

That Strategic Planning Committee note the report concerning the appeal performance of the team and the attached appendix containing summaries of appeal decisions.

### **9 Adoption of a new Local Validation List**

The Committee received report ES/1909 of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management.

Councillor Yule stated that most people would not have seen this information unless they had made a planning application. There were often comments on the lack of information in applications, and this slowed down the decision making process. The Local Validation List was a list of plans, assessments and documents required to be submitted as part of planning applications. By requiring these documents upfront, this would reduce the need to go back and forward on information when the clock started ticking on an application, and reduce the risk of challenge at validation stage. The Principal Planner stated that the number of appendices to this report seemed quite overwhelming, but that they would be in a more user friendly format when made available to the public.

The Principal Planner gave a presentation which summarised how the documents would work for members of the public accessing the list. The documents had been prepared to make it clearer for applicants and agents to understand what they needed to do, improve the quality of information submitted and make it easier for planning support to check applications to ensure all information had been provided upfront.

Councillor Yule thanked officers for their work on this, and the Parish, Town and District Councillors who had provided feedback on this document.

The Chair invited questions.

Councillor Hedgley stated he would like to see some simple guidance on the foul non mains drainage action. Other than this, the document was very thorough and he thanked officers for their work.

The Principal Planner stated that she had tested the document following the steps for a number of different applications. Information would be sent to the Committee when it was available publicly so they could try the system for themselves. Regarding town and parish council responses, there were not normally many responses on this type of consultation as it was a weighty subject. The Validation List had been discussed at the Town and Parish Council Forum and feedback had been gathered on the day.

The Principal Planner stated that the onus was always on applicants to ensure they had provided a correct application and if something was missing applicants were informed. The new format of the document did mean applicants could be directed to specific pages rather than a general document.

Councillor Yule moved the recommendations in the report which were seconded by Councillor Ewart. There being no debate it was by a unanimous vote

## **RESOLVED**

That Strategic Planning Committee:

1. Approve that the ESC Local Validation List 2020 be superseded by the adoption of the Local Validation List 2024.
2. Authorise the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to make any presentational or typographical amendments (including the insertion of the interconnecting hyperlinks) to the Local Validation List, the Local Validation Guidance and the associated Index prior to them being published as adopted documents.
3. Agree that the adoption date of the Local Validation List, associated Local Validation Guidance and associated Index be Wednesday 1 May 2024, to allow time without prejudging the committee's decision to format (including the insertion of the interconnecting hyperlinks) and publish the documents in their electronic interlinked online format.
4. Authorise the Head of Planning and Coastal Management to update any hyperlinks that break within the Local Validation List, Local Validation Guidance and associated Index, i.e. to replace the web addresses sitting behind the links to external websites and/or the ESC website, if/when the web addresses for those pages are changed.



The Committee received report **ES/1910** of Councillor Kay Yule, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the work programme, including the preparation of Supplementary Planning Documents and Neighbourhood Plans, and on housing delivery.

The Chair invited questions.

In response to a question on freeing up larger homes for families, Councillor Yule stated that this largely came under the Housing Portfolio. However local plans did seek to encourage smaller properties to be built which would encourage people to downsize.

Councillor Yule highlighted the section on CIL collection and spend. CIL delivery would be looked at in more detail soon. Councillor Yule also noted the risk concerning capacity.

In response to a question on the forthcoming consultation on the draft Kirkley waterfront planning position statement, the Interim Joint Head of Planning stated this was anticipated to begin in early June and run for four weeks to early July. The responses to the recent consultation would be reported back to the local plan working group in April.

Councillor Yule moved the recommendation in the report, which was seconded by Councillor Ashdown. There being no debate it was by a unanimous vote

**RESOLVED**

That Strategic Planning Committee note the content of the report.

The meeting concluded at 12.37pm

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Chair