

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, on **Tuesday, 28 May 2024 at 2:00 PM**

**Members of the Committee present:**

Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Colin Hedgley, Councillor Mark Packard, Councillor Rosie Smithson

**Other Members present:**

Councillor Jan Candy, Councillor Sally Noble, Councillor Lee Reeves

**Officers present:** Eleanor Attwood (Planner), Agnes Ogundiran (Conservative Political Group Support Officer), Phil Perkin (Principal Planner (Major Sites)), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Alli Stone (Democratic Services Officer), Ben Woolnough (Joint Interim Head of Planning)

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Bennett and Councillor Ninnmey. Councillor Candy and Councillor Reeves attended as substitutes.

**2 Declarations of Interest**

Councillor Candy declared a non-registerable interest as she wished to speak as ward member on item 7.

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

There were no Declarations of Lobbying made.

**4 Minutes**

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

## **RESOLVED**

That the minutes of the meeting held on 23 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/1928 of the Head of Planning and Coastal Management, which was 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 Assistant Enforcement Officer (Development Management) stated that there were no additional comments to the ones in the report.

There being no questions, on the proposal of Councillor Reeves, seconded by Councillor Candy it was by unanimous vote

## **RESOLVED**

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

### **6 DC/21/5550/FUL - Land at Park Farm, Loudham Hall Road, Loudham, Woodbridge, IP13 0NW**

The Committee received report ES/1958 of the Head of Planning and Coastal Management which related to application DC/21/5550/FUL. The application sought planning permission for a 21-megawatt solar farm comprising ground mounted solar PV panels, vehicular access from Loudham Hall Road with internal access tracks, landscaping and associated infrastructure including security fencing, CCTV cameras, and grid connection infrastructure including inverter and substation buildings on land at Park Farm, Pettistree.

The application is being presented to Planning Committee South for determination at the request of the Head of Planning and Coastal Management given the scale of development and level of local interest. Members of Planning Committee South carried out a site visit on 25 April 2024 in advance of their formal consideration.

The Committee received a presentation from the Principal Planner.

The site location was identified and the Principal Planner advised that one area of the site on the eastern boundary had been removed from the development. The Principal Planner shared an aerial photograph of the site and the proposed layout plan.

The Committee was shown photographs demonstrating the following views through the site:

- From the north into the site
- From the boundary with the A12 looking across the site
- From the south western corner of the site along the western boundary
- Along the boundary with Sandpit House

- From the site toward Sandpit House
- From Sandpit House into the site
- From the site to the river valley

The Principal Planner shared a plan of the landscape appraisal and shared photographs from various viewpoints detailing the boundaries of the site and the relationship with the A12, and computer generated images of solar panels on the site.

The Committee was shown the landscape masterplan for the site, details of the solar panels and fencing around the site.

The Committee was shown a block plan of the service compound for the site, and elevations of the welfare unit and transformer stations.

The Principal Planner summarised the anticipated HGV movements during the construction phase of the site and advised that these would drop off after six months. When the site was in use it was anticipated that there would be one HGV movement a week.

The material planning considerations and key issues were summarised as:

- Principle of Development
- Landscape and Visual Impact
- Residential Amenity
- Highways Impacts
- Ecological Impacts
- Flood Risk and Drainage

The recommendation to approve the application, subject to the conditions set out in the report, was outlined to the Committee.

Councillor Daly asked if this would be regarded as a rural environment. The Principal Planner stated that it would be, recognising that pylons ran through the site and the site bordered the A12.

The Principal Planner confirmed that there would be ten small inverters on the site to transfer power into the grid. All buildings and inverters on the site were of a similar height, around 2.1 to 2.4 metres, and a similar height to the solar panels.

Councillor Hedgley asked what the land was currently used for, and whether there were plans for additional buildings. The Principal Planner confirmed that the land was currently used for arable crops, and was classified as grade 3b to 4 agricultural land, which was the lower end of the scale. Any additional buildings would need separate planning permission, as would any additional fencing.

The Principal Planner confirmed the site could be used for grazing.

Councillor Daly asked if any plans for the future management of the site for nature had been submitted, and if any community payments would be forthcoming. The Principal Planner stated one of the conditions was for a landscape management plan to be produced. The Joint Interim Head of Planning confirmed that payments associated with

solar farms could be made to parish councils, but that this could not be taken into account for planning decisions.

Councillor Candy asked what consideration had been given to flooding. The Principal Planner stated that this site was higher than the A12 and would not flood the A12. Runoff from the site would flow down to the Deben. The Joint Interim Head of Planning added that while water would run off panels, the ground below should help to address flooding by providing a more permeable surface.

Councillor Smithson asked whether there was any cut off for numbers of solar parks in the district as a large amount seemed to be coming forward, and there was a risk that large amounts of good agricultural land could be lost. The Joint Interim Head of Planning stated there was no national or local policy which limited renewable development. It was an aspect of land use that was increasingly being seen in rural areas and was in some respects a necessity to address energy use. It may be there was a change in this further down the line to encourage a more joined up approach. Councillor Smithson stated it was disappointing that solar panels were not being installed on new buildings as standard. The Joint Interim Head of Planning stated that a combination of land and rooftop panels would probably be needed.

#### Mr Harrison, objector

Mr Harrison stated he was the estate manager for the Loudham Hall Estate, and he was disappointed that very little regard had been given to the proximity of a historic estate and listed buildings near this solar park. The industrialisation of this area within a historic landscape would be harmful and a similar solar farm in the area had been rejected due to the impact on Loudham Hall and its setting in the landscape. Mr Harrison recognised the need for renewable energy, but this had to be balanced with the need for food production and the needs of the local community.

#### Mr Gilbey, objector

Mr Gilbey was a resident of Sandpit House. This distance from the property to the panels would be only 23 metres. Sand, silt, mud, and water historically came off these fields into the grounds of Sandpit House and the road to the house. Mr Gilbey stated that the officers report failed to address the numerous objections that had been raised by the local community, and feedback relating to mitigation and buffer zones had not been considered fully. The proposed development was too large and too close to a rural property which would be a sole property in a sea of panels. One area had already been removed from the application, and it was generally thought that the site was on the verge of being non-viable.

Councillor Deacon referred to the rights of way through the site and asked if there were well used. Mr Gilbey commented that he used them regularly and they often saw other people on the footpaths, both locals and visitors to the area. The footpath overlooked the river valley which was largely unspoilt. Mr Harrison stated that many people did use the footpath and others around the Loudham Estate.

Councillor Candy asked if there was any size of development that would be considered acceptable in this area. Mr Gilbey stated that they had proposed since the early stage

of development that there be a larger buffer zone around the site. He would have had less concern about the scale of the site had there been a buffer zone so that the site did not surround the house as much. However the development was on a largely inappropriate site. Mr Harrison stated there was a smaller development on another edge of the Loudham Estate which was well screened and much more acceptable as the land was more level.

Councillor Jones, Pettistree Parish Council

Councillor Jones stated that the four parish councils affected by the site had objected. This development would not bring anything to communities, but would damage part of the landscape they sat in. This area was being impacted by many other developments, including another solar farm and a park and ride development to serve Sizewell C. If this application was approved, there was nothing to stop further developments being approved. This site was on agricultural land which was used to produce food, and while solar panels could be put elsewhere, food could not be grown on rooftops or industrial sites. Other applications in the area had been rejected due to the impact on historical sites, it was therefore inconsistent to approve this one.

Ms Hardaker, representative of the applicant.

Ms Hardaker stated that British Solar Renewables were a British company who wanted to have a positive impact on the environment and planet. This development would power over 5,000 homes and save 4,500 tonnes of CO2 a year. The application had been submitted in December 2021 following local consultation and the company had regularly sought feedback on the development. Regarding the location, the development had been proposed for this site due to its onsite connection and the ability to export the energy. Land grade and landscape had also been taken into consideration, and proposals had been amended based on feedback to include buffer zones to the landscape and amendments to the layout to better suit the gradient of the land. As a result of these changes, objections from Environmental Protection had been removed. A portion of development had also been removed due to flood risk, and the flood authority now approved the proposal.

Councillor Daly asked whether there would be any biodiversity net gain from the site. Ms Hardaker stated that exact plans would be finalised subject to planning conditions. Currently the plan was to achieve 115% of hedgerow and 106% of habitat gain. For the ground below the panels, this would be planned out subject to approval. The design was suitable for grazing should this be appropriate in the area.

Ms Hardaker confirmed their supply chain was vetted in as far as it could be, and panels were from trusted companies.

Councillor Smithson referred to comments about a buffer zone around the residential property, and asked if a larger one could be accommodated. Ms Hardaker stated that equipment had been positioned in the site to prevent noise disturbance to the property and so a buffer for sound was not necessary. As much of a visual buffer had been created as there could be, and screening introduced where appropriate.

Councillor Candy asked whether there were any issues with having a larger buffer zone or a smaller site. Ms Hardaker stated the site needed to be a certain size to be viable, the landscape had been assessed through the process and appropriate changes made such as moving panels and equipment. Gradients on the site and existing vegetation would help screen the site, it was not possible to tell how much by and the company had not been advised to do this.

Ms Hardaker confirmed they operated similar sites in other areas, the largest being two 50MW sites.

Councillor Fisher asked what the buffer zone was around the public right of way through the site. The Principal Planner confirmed this was ten metres in total, so five metres either side of the footpath.

Councillor Daly asked whether community benefit would ever be considered. Ms Hardaker stated they had approached Pettistree Parish Council for funding for community benefit which had been verbally accepted. As a business they would also look to engage with the community on the solar park.

Councillor Deacon asked what the life of a solar panel was, and how were they disposed of. Ms Hardaker stated this did depend on the technology chosen and the site. Typically panels lasted twenty five years and would be swapped out. The company had approved suppliers to recycle and reuse materials in the panels so that nothing went to landfill.

#### Councillor Noble, Ward Councillor

Councillor Noble stated that site was located in a river valley between villages. It was not an appropriate site for a solar farm and was at odds with local plan policies SCLP 9.1 and 10.4. This was a permanent development, which would be in place for forty years, in a river valley and green corridor. River valleys and their surroundings had once been considered sacrosanct which needed protection due to their high value. There were better opportunities to provide more discreet, smaller sites, or a larger site on level land which would have less of an impact. Regarding adverse effects, Councillor Noble stated that paragraph 1.3 of the report stated that 'impacts of the proposed development are such that they can be adequately mitigated against'. Councillor Noble stated that she did not believe this could work due to the undulating nature of the land meaning that it could not be concealed from view. The level of objection from local people and parish councils also suggested this could not be done. Several parish councils had objected, and local peoples voices should be listened to.

Councillor Noble stated that there had been limited communication on the development from both the developers and East Suffolk Council, and many people had been unaware of the size of the site. The site is extensive, and could be seen well beyond the local area. Councillor Noble shared photographs from Wickham Market Parish Council which demonstrated the distance from which the site could be seen, both from public roads, recreational routes which were promoted for cycling and walking to locals and tourists, rail users and residential areas. Despite the presence of pylons, the valley had a rural character, and this site would have a cumulative visual impact in addition to the sites from Sizewell C and other development. Councillor

Noble stated that suitable landscape mitigation was lacking, most of the identified views were left open or would not be screened by new hedgerows due to the topography of the site. Tall trees which would provide proper screening could not be used as they would shade the panels. Councillor Noble stated that river valleys had previously been awarded special landscape area status but within this district the designation had been removed in 2020 and replaced in the local plan by the need to consider landscape character. Wickham Market referred to this policy in their response, and had based their objection on SCLP 10.4 which stated that a development would not be permitted if it had significant impact on rural river valleys, historic parks and gardens, or other sensitive landscapes. Proposals should include plans for schemes to be well integrated into the local landscape, which would enhance surrounding green infrastructure and public rights of way. The Local Plan also included a Landscape Appraisal and strategic objectives, four of which concerned protection of enclosure patterns and drainage ditches, traditional land management in floodplains, management of arable land back to pasture, and any expansion of Wickham Market to be highly sympathetic to the landscape character. All four of these objectives applied in this instance.

Councillor Noble summarised that this development would have a high impact on the landscape, particularly to Sandpit Cottage and the Loudham Hall Estate. Any biodiversity enhancements would be welcome but these did not outweigh the impacts of the site and the harm to the landscape. There were no details of any additional planting on the site, or further wildlife surveys, and woodland on the site also did not have proper protection. Questions had been raised locally regarding timing and connection to the grid, and whether reassurance be given that there would be no battery storage on the site which would further add to the impact of the site. The area removed from the plan had been badly flooded, which would become worse and impact other parts of the site. Councillor Noble felt that all these issues would only be exasperated by the site and asked that it be rejected.

Councillor Smithson asked if there would be an objection if this was on the flatter part of the top of the site. Councillor Noble stated that smaller solar parks that were well screened could be embraced but this one was in the wrong place.

Councillor Hedgley stated that solar panels are part of the answer for climate change, they had to go somewhere. Councillor Noble agreed, but stated there were much better places for them to go now before land had to be sacrificed.

The Chair invited debate on the application.

Councillor Smithson stated that this seemed to be a failure of national policy so that land was being used for solar panels and buildings were not be considered first.

Councillor Daly agreed that this was a difficult decision. Green energy was important should be supported, but the Council also had to protect landscapes. Councillor Daly stated that when had visited the site it had come across as a green landscape surrounded by industrial agriculture including practises such spraying, and the use of plastic sheeting over crops. Solar panels could provide benefits for nature that the agricultural land was not currently providing. Green energy which benefitted the land

had to be accepted. Councillor Daly stated that he did not think this site would have a worse impact than what was there already, especially if it was managed properly.

Councillor Hedgley agreed this was a difficult decision. This site could either be detriment to food security or a benefit for green electricity. Whilst there should be panels being put on buildings, they did need to be put somewhere in the meantime. We could not continue to wait around for the perfect time but had to take action now.

Councillor Reeves stated he was also torn on whether this was the right plot in the right place.

Councillor Deacon stated he was very aware of both the demand for green energy and the need for food security. The site was in a very beautiful location, and had a positive impact on wellbeing for locals and visitors. It was a failure of national policy that this site had to be considered.

Councillor Candy stated that she felt this site was too large for this area. A smaller application might have been more appropriate in this landscape.

Councillor Hedgley stated that this was a decision for this site, and it was up to the Committee to decide yes or no on this, not whether this site should be moved to another area or panels put on buildings.

Councillor Deacon referred to local plan policy SCPL 10.4 regarding landscape character, which seemed to be contrary to the approval of this development.

The Joint Interim Head of Planning stated that the Council was pushing for local and national changes to encourage more solar panels in residential and brownfield sites. However the committee should not reject the site because panels should be put on residential and brownfield sites instead, as agricultural land was sometime appropriate. Solar parks were often controversial but nationally substantial weight was given to solar parks due to the benefit for climate change goals.

Councillor Reeves asked if this meant that the local plan could be disregarded. The Principal Planner confirmed it would not be disregarded, the Committee had to consider whether this was a significant adverse impact. Planners had recommended approval as it was not considered that this development would have more of a significant adverse impact than what was there now.

Councillor Daly commented that he considered this development was not worse than what was currently there. It did not produce any runoff to the rivers, or large amounts of noise. The site had already been modified and had moved away from the greenfield areas. There was an impact but it was not significant.

The recommendation was proposed by Councillor Daly and seconded by Councillor Hedgley. The vote was tied with two abstentions and so on the Chair's casting vote it was

**RESOLVED**



That the application be approved subject to the following conditions:

Conditions

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

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

2. The development hereby permitted shall be completed in all respects in accordance with the submitted drawings

- Solar Park Layout, 1664-0201-01
- Site Plan Location, 1664-0200-05
- DNO Switchgear, Revision 1 April 2021
- 33kV Private Switchgear, Rev 2 October 2021
- Access Road Sections, Rev 1 April 2021
- Welfare and Comms Container Detail, Rev 2 October 2021
- Spares Container Detail, Rev 1 April 2021
- Aux Transformer Detail, Rev 1 April 2021
- Transformer Substation Detail, Rev 1 April 2021
- CCTV Detail Rev. 1 April 2021
- Mounting System, Rev 1 April 2021
- Fence detail Rev 1 April 2021
- Arboricultural Planning Statement, February 2024
- Preliminary Ecological Appraisal (ADAS, February 2024)
- Badger non-license method statement (ADAS, February 2024)
- Biodiversity net gain (ADAS, February 2024)
- Breeding bird survey (ADAS, February 2024)
- Information to inform habitats regulations assessment (ADAS, February 2024)
- Reptile non-license method statement (ADAS, February 2024)
- Wintering bird survey report (ADAS, February 2024)
- Ecology Update Survey (The Landmark Practice, May 2024)
- Transport Statement, February 2022
- Noise Assessment Report, February 2024
- Flood Risk Assessment, February 2024
- Archaeological Trial Trenching report, January 2024
- Landscape and Visual Appraisal, February 2024
- Landscape Masterplan, Rev 5 February 2024
- Glint and Glare Study August 2022

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

3. The planning permission is for a period from the date of this permission until the date occurring 40 years after the date of operational commissioning of the development. Written confirmation of the date of operational commissioning of the development shall be provided to the Local Planning Authority no later than 1 calendar month after that event.

Reason: To ensure this permission is a temporary development on the landscape, having an operational life of 40 years.

4. If the solar farm hereby permitted ceases to operate for a continuous period of 6 months, then unless otherwise agreed in writing by the Local Planning Authority, a scheme for the decommissioning and removal of the panels and any other ancillary equipment, shall be submitted to and agreed in writing by the Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for the restoration of the site. The scheme shall be completed within 12 months of the date of its agreement by the Local Planning Authority.

Reason: To remove the non-operational development from the landscape.

5. At the end of the operational lifespan (40 years), the solar panels and other infrastructure will be removed, and the site restored back to full agricultural use.

Reason: The decommissioning and restoration process intends to restore the land to the same quality as it was prior to the development taking place.

6. The strategy for the disposal of surface water (680695 L02(00) LLFA 16-03-2023)/(680695 L03(01) LLFA 12-06-2023) and the Flood Risk Assessment (FRA) (680695- R1(0)-FRA(15-02-2024)) shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

7. No development shall commence until 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP 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.

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater <https://www.suffolk.gov.uk/roads-andtransport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

8. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, 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 with the county of Suffolk.

9. 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 (2023).

10. The solar farm shall not be brought into operation until the site investigation and post investigation assessment for both Areas 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 part 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 (2023).

11. Should no dig construction methods be used as an alternative to archaeological excavation for areas of archaeology which are defined in subsequent trenching works, no development shall take place the area indicated [the whole site] until a management plan for any archaeological areas to be preserved in situ has been

submitted to and approved in writing by the Local Planning Authority, setting out the methodology to secure the ongoing protection of these areas both during construction, operation and decommissioning of the solar farm. A detailed site plan showing Archaeological Exclusion Zones must be included, defining areas within which development will be excluded or provide sufficient design mitigation to avoid any impact to below ground archaeological deposits. Full details of the final construction methods to be implemented for any works in these areas must also be provided for approval. The development must be carried out in accordance with the approved management plan.

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).

12. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (ADAS, February 2024), Badger non-license method statement (ADAS, February 2024), Breeding bird survey (ADAS, February 2024), Reptile non-license method statement (ADAS, February 2024), Wintering bird survey report (ADAS, February 2024) and Ecology Update Survey (The Landmark Practice, May 2024) 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.

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

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

14. A landscape and ecological management plan (LEMP) shall be submitted to, and

be approved in writing by, the local planning authority prior to first operation of the site. 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, including a report to be submitted every third year to the local planning authority to demonstrate the management of the site and how management is meeting the objectives or where appropriate changes in management has been advised. 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.

15. No lighting at the site shall be installed unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. Any such 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.

16. Prior to commencement 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.

17. Prior to commencement, a Skylark Mitigation and Management Plan shall be submitted to and approved in writing by the local planning authority. The strategy shall provide details of practical measures to avoid and reduce impacts to skylark during construction, and how post-development habitats will be managed to provide long-term suitable habitat for skylark.

Reason: To ensure that skylarks are protected, and the site is enhanced for protected and priority species.

18. As close as practicable and no earlier than three months prior to commencement of development, an additional badger survey report shall be submitted to and approved in writing by the Local Planning Authority. Should the position, in so far as it relates to badgers, have changed from that originally reported when the application was submitted, the new survey report should incorporate a revised badger mitigation plan.

Reason: To ensure that badgers are protected.

19. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time.

20. Before the access is first used visibility splays shall be provided as shown on Drawing No. 663311-10-01 Rev. A with an X dimension of 2.4 metres and a Y dimension of 175 & 90 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.

21. No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, to ensure that damage to the highway as a result of the development is repaired at the developer's cost and satisfactory access is maintained for the safety of residents and the public.

22. The noise rating levels, L<sub>Ar</sub>,Tr (cumulative noise level from all fixed plant serving the solar farm) shall not exceed 30 dBA at the nearest noise sensitive receptor. The noise rating level shall be measured and assessed in accordance with the methodology

within BS 4142:2014+A1:2019 unless otherwise agreed with the local planning authority.

Reason: In the interests of amenity and the protection of the local environment. To ensure that receptors are adequately protected as part of the development.

23. Within three months of operation, a validation noise survey shall be conducted to check compliance with the predicted operational noise rating levels and submitted to the Local Planning Authority. If the validation noise survey identifies non-compliance with the predicted noise rating levels, a scheme identifying appropriate mitigation to secure compliance with the assessment noise rating levels shall also be submitted with the validation noise survey, and agreed in writing with the Local Planning Authority. The mitigation scheme shall be implemented as approved.

Reason: For the protection of residential amenity and the environment.

24. The development hereby permitted shall be carried out in accordance with the Transport Statement dated February 2022.

Reason: In order that the development does not have an adverse impact on users of the local highway network.

25. The development hereby permitted shall be carried out in complete accordance with the recommendations contained within the Arboricultural Impact Assessment.

Reason: In the interest of visual amenity to protect existing trees on and near the site.

26. The development hereby permitted shall be carried out and maintained in accordance with Suffolk County Council's Public Rights of Way and Solar Farms - Position Statement for the duration of construction and operation.

Reason: In order that there is no adverse impact on users of the public right of way as a result of the development.

27. Within 3 months of commencement of development, satisfactory precise details of a landscaping scheme to include tree, hedge and other planting as appropriate (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.

28. The approved landscaping scheme 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 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

29. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be

replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

30. Within six months of commencement of development, a management plan for the continued management and maintenance of the approved landscaping scheme shall have been submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for a period of 40 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out and maintained in accordance with the approved management plan.

Reason: To landscaping is properly maintained in the interest of visual amenity.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

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

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

4. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> Note: Public Utility apparatus



may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

5. 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.

6. The applicant's attention is drawn to the comments from Suffolk County Council Public Rights of Way team with regards to their requirements.

7. It is noted that some application documents have referred to the access track to Sandpit House and the Water Pumping Station being used. This permission does grant rights of access for this track and its use in relation to the development should ONLY be with permission of the landowner.

## **7 DC/21/2710/OUT - Land north of Conway Close and Swallow Close, Felixstowe**

Clerks note: Councillor Candy moved to the public gallery for this item as she wished to speak as ward member.

The Committee received report ES/1959 of the Head of Planning and Coastal Management which related to application DC/21/2710/OUT.

This application sought outline planning permission to create up to 150 dwellings, associated infrastructure and open space. Details of the access into the site had been submitted for approval whilst appearance, landscaping, layout and scale were reserved matters for future determination. The application was being presented to Planning Committee South for determination at the request of the Head of Planning and Coastal Management due to its public interest from members of the public and the Town Council and the significance of the site in its relevance to the wider North Felixstowe Garden Neighbourhood allocation.

The Committee received a presentation from the Principal Planner (Major Sites), who was the case officer for the application.

The Principal Planner displayed aerial photographs of the site showing its relation to the immediate area and the wider north Felixstowe area. The Principal Planner summarised the history of the site. It had first been allocated in 2017 in the Felixstowe Peninsula Area Action Plan Development Plan Document. This had been carried forward to the East Suffolk Council (Suffolk Coastal) Local Plan, Policy SCLP12.4 allocated the site for the development of approximately 150 dwellings. The site was immediately adjacent to the North Felixstowe Garden Neighbourhood proposed by Local Plan Policy SCLP12.3.

The Principal Planner shared the proposed Parameter Plan and an indicative concept plan. The Principal Planner stated that even though the application was for up to 150 dwellings, changes in law and guidance meant that in practise the site could accommodate 50 to 75 dwellings.

The Committee was shown excerpts from the East Suffolk Cycling and Walking Strategy which detailed how footpaths around the site should be upgraded and improved. Three dog walking routes from the site, long, medium and short, were displayed.

The Committee was shown photographs demonstrating the following views through the site:

- View north along Ferry Road
- View from Ferry Road across the application site looking west
- The junction of Ferry Road and Gulpher Road
- View south along Ferry Road from Gulpher Road
- View west along Ferry Road
- View east along southern boundary towards Ferry Road
- View North from southern boundary
- View to Grade II listed Park Farm Cottage
- View to the west from the site

The Principal Planner summarised the material planning considerations and key issues as:

- Principle of Development
- Design and Layout Considerations
- Highway Considerations
- Landscape and Visual Impact
- Heritage Considerations
- Flood Risk
- Ecology
- Public Benefits

The recommendation to approve the application, subject to the conditions set out in the report, was outlined to the Committee.

The Chair invited questions.

Councillor Deacon asked whether it was possible to alter any allocation in the local plan. The Joint Interim Head of Planning stated that the East Suffolk Council (Suffolk Coastal) Local Plan was adopted in 2020. The Committee were required to give due consideration to this plan. Until there was a new Local Plan then no changes could be made. The Local Plan had been recognised by both the Council and the government and was considered the primary planning document for this area. The local plan could not be disregarded for one application. The Local Plan was reviewed every five years and there was an intention to create one Local Plan for the District, but this would be a lengthy process and take a number of years. This site was allocated in the current and previous local plans, and had moved from a stand alone site to a site that was a single allocation but surrounded by a garden neighbourhood and which might serve as an opportunity for access to the garden neighbourhood. The Joint Interim Head of

Planning advised that the Committee should consider the application on its own merits as a single site.

Councillor Reeves referred to the road which ran through the site and asked what this connected to. The Case Officer stated that there was a requirement for the access road to extend right through the site. The exact point at which it left the site could be determined at a later date, all that needed to be agreed at this point was that the road had to go through the site from one boundary to the other. The Joint Interim Head of Planning confirmed that the Committee were being asked to approve a parameter plan which laid out the land use of the site and general alignment of the road route, but not the exact placements of individual dwellings and the mix of dwellings.

The Principal Planner confirmed that there were requirements that the developers of the site contributed to a primary school and early years setting.

Councillor Smithson referred to the number of 150 dwellings in the application title and the comment of the Principal Planner that only 50 to 75 houses would be viable, and asked what number of dwellings the Committee were approving. The Principal Planner confirmed that the actual number of houses on the site would be determined under reserved matters. The allocation allowed for up to 150 homes, but in reality this would not be achievable. Councillor Smithson stated that this made the application more difficult for the Committee to consider due to the lack of certainty. The Joint Interim Head of Planning stated that the Committee needed to be mindful and determine this application on its own, and not compare it with the North Felixstowe Garden Neighbourhood. The applicant had submitted an application for up to 150 homes and the application had been tested for up to 150 homes. Legislation had changed since this site had been identified and so fewer homes could be delivered.

Councillor Daly asked what planting would be retained around the site. The Principal Planner stated that there was the intention to retain current planting and to put a footpath in beside them. The access would require some hedgerow to be removed for visibility splays.

#### Mr Smith, the applicant's agent

Mr Smith stated that this was an application for outline planning permission. The applicants had worked hard with officers to ensure the plan was ready. There were significant areas of greenspace in the plan, along with playgrounds and walking and cycling connections to the town. The applicant acknowledged that restrictions on the site meant that the number of dwellings in the application might not be developed. However, affordable housing, self build plots and other benefits could still be provided. The focus of this development was on a high quality site that would provide housing for families.

Councillor Reeves asked what the connection was from the site to Gulpher Lane. Mr Smith confirmed that access to Gulpher Lane would be pedestrian only, the vehicle access was to Ferry Road.

Mr Smith confirmed that self build plots would be included if 100 dwellings could be sited on the plot. Thirty three percent of the dwellings would be affordable regardless

of how many dwellings were achieved. The applicants accepted that it would not be possible to fit 150 dwellings on the site due to the need for green infrastructure and drainage. However, they had demonstrated that 150 dwellings were viable and the impact mitigated. Due to the timing of the application they would not be required to deliver 10% biodiversity net gain, but the applicant would likely deliver some net gain as this was important to people.

Councillor Deacon asked whether the agent had been involved with the Laureate Fields development, and whether any lessons had been learnt from this development. Mr Smith confirmed he was also the agent for this development. Mr Smith felt that this application had been explained more thoroughly to neighbours and stakeholders.

The Chair asked if apartments were being considered for the site. Mr Smith stated that they were required to limit development to two storeys, but that smaller plots could be included. The housing mix and number of plots would be confirmed at the next stage.

#### Councillor Candy, Ward Member

Councillor Candy stated that this was another housing development being imposed upon Felixstowe. The number and type of dwellings were also not confirmed, causing a great deal of uncertainty for local people. The development would also have a large impact on the nearby 'quiet lane' which would no longer be quiet if all pedestrians in the area were diverted to it. Councillor Candy stated that this was one application too many, and should be delayed until the outcome of the North Felixstowe Garden Neighbourhood was clear.

The Joint Interim Head of Planning confirmed that the policy requirement for affordable housing was 33%, the proportion would not change but the total number would be dependant on the number of houses delivered. The Joint Interim Head of Planning confirmed that the Council was putting pressure on the County Council regarding school provision as a lot of money was coming forward from developments for this.

Councillor Deacon commented that he agreed that development in this area seemed unbalanced and he had not agreed with this level of housing being allocated to Felixstowe in the Local Plan. The Joint Interim Head of Planning stated that the site at the centre of the Garden Neighbourhood had come forward as there was no local plan at that point and an issue with supply in this area. It had been refused by the District Council but approved on appeal.

Councillor Deacon stated he did not agree with the Highways Authorities assessment of the situation and that roads in the area had already been impacted by other developments. He expressed concern that other developments had not been managed properly, and that this site would have similar issues.

The Chair asked what would happen if the site was refused. The Joint Interim Head of Planning stated he expected it would lead to a public enquiry and this would delay the site for up to a year. The Joint Interim Head of Planning commented that the motivation for refusing this decision should not be to delay the site.

Councillor Deacon expressed concerns with the development based on how other developments had been handled in the area, and asked what the committee could do to ensure the development was managed properly. The Joint Interim Head of Planning commented that regarding drainage, the application had been amended to ensure there were sustainable urban drainage solutions to mitigate flood risk, unlike the development opposite. This development also had to consider risks outside of its own impact.

Councillor Hedgley commented that highways concerns were a common issue with larger developments. He stated that if the Committee voted against this they had to provide a reason that would stand up in court. Councillor Hedgley stated that he felt he would have to vote to approve this development until a sufficient reason could be put forward.

Councillor Fisher commented on the removal of hedgerows for visibility and asked that it be made clear exactly what needed to be removed.

Councillor Smithson commented that there was a lot of building work happening in Felixstowe. This was close to a very sensitive area of the river, and there did not need to be further encroachment. Councillor Smithson commented that it was difficult to decide this application at the outline stage as the application was for a number of houses which planners felt was not achievable and this seemed contradictory.

The Joint Interim Head of Planning stated that the majority of sites did achieve what they set out to do. Regarding the description of 150 houses in the development, the Council could not change this. The parameter plan did demonstrate that there was a clear limit on the number of houses that could be constructed on this site. The Joint Interim Head of Planning confirmed that he would expect the full application to come with in one to two years, but it could be sooner.

Councillor Deacon asked whether there would be any green energy solutions for properties in this development. The Joint Interim Head of Planning the Council was looking at how policies could be amended to include and encourage green solutions. Building regulations had changed and developers would be looking at whether it would be worth their effort and money to put in things such as gas connections.

Councillor Reeves stated he did not feel he could support this development due to the lack of information from highways on the impact of the development.

Councillor Hedgley proposed the recommendation in the report, and was seconded by Councillor Packard.

The recommendation failed.

Councillor Reeves asked if a third party opinion on highways could be sought to provide some reassurance on the impact of the site.

On the proposal of Councillor Deacon, seconded by Councillor Reeves and by a unanimous vote it was

## RESOLVED

That the application be **DEFERRED** and a third party opinion on the highways impact be sought.

### 8 DC/23/3717/FUL - Walk Farm, Old Felixstowe Road, Stratton Hall, Ipswich, IP10 0LR

The Committee received report ES/1960 of the Head of Planning and Coastal Management which related to planning application DC/23/3717/FUL.

The application sought full planning permission for the change of use of three agricultural buildings to Class E(g)iii (Industrial processes) Use, along with the siting of three ancillary office/welfare facility cabins at Walk Farm, Old Felixstowe Road, Stratton Hall.

The Principal Planner advised that the proposal was deemed sustainable and therefore recommended for approval in accordance with the NPPF and the relevant policies of the adopted development plan. However, the referral process was triggered in accordance with the Council's scheme of delegation because the 'minded to' decision of the Case Officer was contrary to the Parish Council's recommendation to refuse the application. The application was therefore presented to the Referral Panel on Tuesday 16 April 2024 where members determined that the merits of the application warranted debate at Planning Committee due to concerns relating to the loss of the existing buildings use for purposes in support of the agricultural function of the farm, including for storage of crops etc. grown on the surrounding arable land.

The Committee received a presentation from the Principal Planner as the Case Officer was unable to attend the meeting. The site location was outlined and an aerial photograph was displayed along with contemporary photographs showing the exterior of the buildings and access. The current and proposed floor plans were displayed.

The material planning considerations and key issues were summarised as:

- Loss of buildings for agricultural use
- Increased traffic
- Working hours
- Light and noise pollution

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

Councillor Hedgley asked if there had been any objections from the immediate neighbours who were not involved with the farm business. The Principal Planner confirmed that five letters of objection had been received, including one from the closest neighbour.

The Chair invited Mr Elvin, the applicants agent, to address the Committee.

Mr Elvin stated that changes in farming practises meant these buildings were no longer needed. Previously potatoes had been lifted and stored, they now went straight to processing and so there was no need for long term crop storage. Therefore there was

now an opportunity to convert these buildings as other farms in the area had done. Mr Elvin stated that there would be no substantial change to the character of the site.

Councillor Hedgley asked what the buildings would be used for assuming the application was granted. Mr Elvin stated that other units had been converted on the farm and in the area and these were in high demand. Similar users would move into these buildings, these were largely businesses that centred on storage, processing and packing which required a larger floor space.

Councillor Deacon asked if the buildings could be converted back if needed for agricultural use in the future. Mr Elvin stated they could, the buildings would be retained by the farm and rented out and if needed for crops again in the future they could be changed back.

On the proposal of Councillor Packard, seconded by Councillor Deacon it was by a majority vote,

### **RESOLVED**

The application be approved subject to the following conditions:

#### Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawing(s):

- 2076/23/04 Rev. B (Proposed site plan);
- 2076/23/03 Rev. A (Proposed elevations and floor plans);
- 2076/23/02 Rev. A (Existing site and location plan);
- 2076/23/01 Rev. A (Existing elevations and floor plans).

Reason: For 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 by the Local Planning Authority.

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

4. The working hours in connection with the hereby permitted use, shall not be other than between 8am and 6pm Monday to Friday; 8pm to 1pm on Saturdays, and no work shall be carried out on Sundays, or Bank Holidays, or outside the specified

hours.

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

5. No activities or processes shall be undertaken outside the buildings other than the loading and unloading of goods. There shall be no outside display or storage of any goods, materials, finished products or other articles unless otherwise approved in writing by the Local Planning Authority.

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

6. The buildings subject to this planning permission shall only be used for Class E(g)iii (Industrial processes) purposes only and for no other purpose (including any other use class of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) [or any Order revoking or re-enacting the said Order].

Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment.

7. No floodlighting or other means of external lighting shall be installed at the site unless submitted to and approved in writing by the Local Planning Authority. The details submitted shall include position, operating times, details of luminaires, aiming angles and vertical and horizontal illuminance on areas outside the site. Thereafter the lighting scheme shall be implemented and maintained in accordance with the approved scheme.

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

8. Prior to the installation of any fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant etc) a noise assessment shall be submitted to the Local Planning Authority to include all proposed plant and machinery and be based on BS4142:2014+A1:2019). A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

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

9. The use shall not commence until the area(s) within the site shown on drawing no. 2076/23/04 Rev. B for the purposes of loading, unloading, manoeuvring, and parking of vehicles have been fully provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

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



10. Before the development is brought into use, 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 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. The approved scheme shall be implemented for each building prior to its first use 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 (2019).

**9 DC/24/0110/FUL - Portakabin rear of car park, Ordnance House, 1 Garrison Lane, Felixstowe, IP11 7SH**

The Committee received report ES/1961 of the Head of Planning and Coastal Management which related to application DC/24/0110/FUL. The application sought planning permission for the continued siting and use of two portacabins located within the Garrison Lane Car Park in Felixstowe. The site was located to the west of the Garrison Lane car park. The two portacabins were in situ and had been in place for a number of years. The two cabins were used for office and storage facilities for community transport services operated by Felixstowe Area Community Transport Scheme (FACTS). Two additional units were located to the south of the subject units and were in use by The Lions Club; these were granted planning permission under application DC/21/4083/FUL. The application was before the Committee because the development was on land owned by East Suffolk Council and was therefore required to be determined by the Planning Committee.

The Committee received a presentation from the Case Officer. The Committee viewed the site location plan, an aerial photograph and a number of contemporary photographs of the cabins. The block plan was also shared.

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

On the proposal of Councillor Hedgley, seconded by Councillor Daly it was by a unanimous vote

**RESOLVED**

The the application be approved subject to the conditions below.

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the application form and Location Plan received 12 January 2024, and drawing 1 (layout plan) received 3 May 2024.

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

2. Notwithstanding the provisions of the Town and Country Planning [Use Classes] Order 1987 (as amended) (or any Order revoking or re-enacting the said Order), the units herein referred to, shall be used for a community transport scheme and for no other purpose.

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

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

The meeting concluded at TBC

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Chair