



Planning Committee South

Members are invited to a **Meeting of the Planning Committee South** to be held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday, 25 July 2023 at 2.00pm.**

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

Members:

Councillor Mark Packard (Chair), Councillor John Fisher (Vice-Chair), Councillor Tom Daly, Councillor Mike Deacon, Councillor Katie Graham, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mike Ninnmey, Councillor Rosie Smithson.

An Agenda is set out below.

Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the minutes of the meeting held on 27 June 2023.	1 - 19
5	East Suffolk Enforcement Action - Case Update ES/1612 Report of the Head of Planning and Coastal Management.	20 - 37
6	DC/22/4985/FUL - Hungarian Lodge, High Street, Ufford, IP13 6EL ES/1613 Report of the Head of Planning and Coastal Management.	38 - 56
7	DC/23/1294/FUL - 19 Penfold Road, Felixstowe, IP11 7BP ES/1614 Report of the Head of Planning and Coastal Management.	57 - 63

Part One – Open to the Public		Pages
8	DC/23/0517/FUL - 39 Simons Cross, Wickham Market, Woodbridge, IP13 0SX ES/1615 Report of the Head of Planning and Coastal Management.	64 - 72
9	DC/23/0718/FUL - Sports Ground, Notcutts Park, Fynn Road, Woodbridge, IP12 4LS ES/1616 Report of the Head of Planning and Coastal Management.	73 - 78

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

Close



Chris Bally, Chief Executive

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Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

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

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

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

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Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 27 June 2023 at 2.00pm.**

Members of the Committee present:

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

Other Members present:

Councillor Deborah Dean

Officers present:

Sarah Davis (Democratic Services Officer (Scrutiny and Member Development), Marianna Hall (Principal Planner), Grant Heal (Planner), Matt Makin (Democratic Services Officer (Regulatory)), Rachel Smith (Principal Planner), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Debbie McCallum; Councillor Deborah Dean attended the meeting as her substitute.

2 Declarations of Interest

Councillor Mike Deacon declared an Other Registerable Interest in item 8 of the agenda, as a member of Felixstowe Town Council.

Councillor Colin Hedgley declared a Non-Registerable Interest in item 8 of the agenda, as the application site was located within his ward.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Mike Deacon declared he had been lobbied on item 8 of the agenda; he had responded to acknowledge the correspondence and to confirm he had noted the points made.

4 Minutes

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

RESOLVED

That the minutes of the meeting held on 25 April 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1560** 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 has been sanctioned under delegated powers up until 25 May 2023. At that time there were 18 such cases.

The Planning Manager (Development Management, Major Sites and Infrastructure) clarified the structure of the report for those Members new to the Committee.

The report was taken as read and the Chair invited questions to the officers. The Assistant Enforcement Officer (Development Management) and the Planning Manager clarified that in relation to case A.1 (Houseboat Friendship, New Quay Lane, Melton) officers had been advised that the boat had been removed but that a site visit was required to confirm this and formally close the case.

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

RESOLVED

That the outstanding enforcement matters up to 25 May 2023 be noted.

6 DC/23/0830/OUT - Land Fronting Seven Gardens Road, Burgh

The Committee received report **ES/1561** of the Head of Planning and Coastal Management, which related to planning application DC/23/0830/OUT.

The application sought outline planning permission (with all matters reserved) for the construction of three market dwellings with garages on land fronting Seven Gardens Road, Burgh.

As the case officer's 'minded to' decision was contrary to comments received from Burgh Parish Meeting, the application was presented to the Planning Referral Panel, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution, on 6 June 2023. The Planning Referral Panel considered that the concerns raised by parishioners warranted further discussion by members and referred the application to the Committee for determination.

The Committee received a presentation from the Planner, who was the case officer for the application. The site's location was outlined and the Planner noted that for policy purposes, the site was considered to be in the countryside. Officers were comfortable,

however, that the site's location and the proposed development was in accordance with policy SCLP5.4 of the Suffolk Coastal Local Plan (the Local Plan), regarding housing in clusters in the countryside.

The Committee was shown examples of appropriate developments in accordance with SCLP5.4, contained within the Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document (SPD), and the Planner highlighted that the proposed development was similar to the examples displayed of infill cluster development.

The Planner displayed an aerial image of the site and photographs of the site demonstrating views of the southern boundary, existing dwellings to the south, looking into the site, the surrounding countryside, and looking north along Seven Gardens Road.

The Committee received an illustrative block plan and an illustrative street scene drawing.

The material considerations and key planning issues were summarised as traffic and highway safety, the sustainability of the site's location, and environmental concerns including the loss of agricultural land. The Planner highlighted the response from the Council's Senior Ecologist concerning bee orchids in response to the points raised at the Parish Meeting, contained in the update sheet which had been published and circulated on 26 June 2023.

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

The Chair invited questions to the officers. In response to a query on Community Infrastructure Levy (CIL), officers confirmed that the application would be subject to CIL contributions and that although parish meetings did not receive CIL contributions directly, any CIL collected from an approved scheme in a parish meeting's area would be ringfenced to deliver infrastructure there.

The Planner clarified how the proposed development would fit into the existing cluster of housing, highlighting the aerial image of the site and noting the adjacent housing surrounding the application site, meaning that the development would infill an existing cluster.

The Planning Manager (Development Management, Major Sites and Infrastructure) confirmed that Burgh was considered a small hamlet in the countryside and did not have a defined settlement boundary. The Committee was informed that any community group could initiate the creation of a Neighbourhood Plan for an area and this process did not have to be led by a town or parish council.

Members were advised that should this application be approved, further development in the area would not meet the criteria of SCLP5.4; officers noted that the policy referenced that cumulative effects on an area must be considered.

The Planner confirmed that no letters of support had been received.

The Chairman invited Mr Price, the applicant's agent, to address the Committee.

Mr Price considered that despite the site's location in the countryside the application was in accordance with the Local Plan regarding clusters of housing in the countryside. Mr Price said that the proposal was identical to one of the examples within the Housing in Clusters and Small Scale Residential Development in the Countryside SPD as an acceptable infill within a rural cluster. Mr Price said that the main issue to be considered was if the proposal would cause such demonstrable harm as to warrant refusal.

Mr Price referred to the concerns expressed by objectors at the Parish Meeting and highlighted that these concerns were not shared by consultees such as the Highways Authority, the Council's ecology team and its landscape team.

Mr Price noted that a major concern expressed was that the application would set a precedent for further development, the local infrastructure would not cope with this or further development and that the proposals would impact on residential amenity. Mr Price highlighted that planning applications must be determined on their own merits, having regard to the development plan and all material considerations and that precedent was not, therefore, a consideration to be taken into account.

Mr Price referred to specific claims that sewerage capacity and water pressure would be affected by the development and highlighted that alternatives to mains drainage were available and the precise means of foul sewage disposal would be determined under any reserved matters application.

Mr Price also referred to the claims of bee orchids in the highway verge and referred the Committee to the comments of the Council's Senior Ecologist on the matter. Mr Price highlighted that prior to submission the applicant had created a wildflower meadow of 0.4 hectares at the southern end of the field hosting the application site.

Mr Price concluded that the application was fully in accordance with the development plan and would cause no demonstrable harm and should therefore be approved.

Note: following the conclusion of Mr Price's address, the Chairman adjourned the meeting for a short period to allow officers to resolve a technical issue which had interrupted the live broadcast of the meeting.

The Chair invited questions to Mr Price. Mr Price reiterated that a wildflower meadow had been planted at the southern end of the field hosting the site and the planting was beginning to flower. Mr Price confirmed that the properties would be sold on the open market and would be designed to comply with Part M of the Building Regulations to make them accessible properties. Mr Price outlined the wildflower meadow's proximity to the application site, using the aerial image provided by the Planner.

The Chair invited the Committee to debate the application that was before it. Councillor Hedgley, whose ward the application site was located in, said he had written to the Parish Meeting for comments but had not received a response prior to the meeting. Councillor Hedgley considered that the landscape in Burgh should be

valued; he acknowledged the scheme's compliance with SCLP5.4 but considered it was contrary to Chapter 15 of the National Planning Policy Framework (NPPF), which required development to preserve and enhance the natural environment. Councillor Hedgley was of the view that the development would neither preserve nor enhance the area and was not supportive of it.

Several members of the Committee highlighted that the development would provide a biodiversity gain as the site was currently an arable field with little biodiversity value, and were encouraged by the planting of the wildflower meadow adjacent to the site. Councillor Daly considered that the dwellings would provide gardens which, if made to be wildlife friendly, would provide a further biodiversity gain. Councillor Deacon expressed that he had been concerned about a possible spread of the cluster but was assured by the officers' responses during questioning.

Councillor Fisher said that he had visited the site on 26 June 2023 by bicycle; he said he shared Councillor Hedgley's concerns to an extent, noting that the development would impact the views of the landscape when approaching the site from the north, but considered that in time the development could look reasonable and would be of benefit to wildlife.

In response to a suggestion from Councillor Fisher to add a condition regarding boundary hedgerow planting, the Planning Manager advised that any reserved matters application would be better placed to control planting, as a landscape plan and details of boundary treatments and planting could be required by condition.

Councillor Ninnmey asked if the need for accessible housing in Burgh was known. The Planning Manager advised that data on this need was only collected when looking at affordable housing.

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

RESOLVED

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

1. This is an Outline Planning Permission issued in accordance with the Town and Country Planning (General Development Procedure Order 2010). Before work on the development is begun, approval of the details of access, appearance, landscaping, layout and scale [herein called the "reserved matters"] shall be obtained from the Local Planning Authority by application(s) submitted not later than the expiration of three years beginning with the date of this outline permission.

Reason: As provided for in the Town and Country Planning (General Development Procedure Order 2010) and in accordance with Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun on or before the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the approval of the final reserved matter.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

3. This Outline Planning Permission relates to the land outlined red (only) on drawing no. '0597-PL001' (Site location plan) received by application on 2 March 2023.

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

4. The layout proposed through the Reserved Matters application should be broadly in accordance with the indicative layout submitted as part of this Outline Consent, including positioning the three dwellings so that they face towards Seven Gardens Road, and utilising the full frontage width of the application site to accommodate the three dwellings and their curtilages (and any access arrangements to serve those dwellings).

Reason: To ensure the development remains compliant with the Local Plan 'Cluster' Policy SCLP5.4, and to ensure an appropriate layout that would be in character with the locality, in the interests of visual amenity.

5. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority.

The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

6. Proposed access arrangements submitted as part of subsequent reserved matters applications shall include the means by which the discharge of surface water from the development shall be prevented from entering the highway, including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

7. Proposed layout arrangements submitted as part of subsequent reserved matters applications shall include details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins. The approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. Proposed layout arrangements submitted as part of subsequent reserved matters applications shall include details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure/covered/lit cycle parking and electric vehicle charging points. The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking where on-street parking and manoeuvring would be detrimental to highway safety, and to promote sustainable transport choices.

9. Proposed access arrangements submitted as part of subsequent reserved matters applications shall include clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

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.

10. Proposed material submitted as part of subsequent reserved matters application(s) shall include a Construction Management Plan which shall provide sufficient detail on the following matters:

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

Reason: In the interest of highway safety to avoid hazards caused by construction activities and to minimise adverse impacts on the public highway and neighbouring properties during the construction phase.

11. Proposed material submitted as part of subsequent reserved matters application(s) shall include a photographic condition survey of the highway fronting and near to the site.

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.

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.

7 DC/23/0234/FUL - The Walled Garden, High Street, Wickham Market, IP13 0QS

The Committee received report **ES/1562** of the Head of Planning and Coastal Management, which related to planning application DC/23/0234/FUL.

The application sought full planning permission for the replacement of an existing outbuilding with a single-storey market dwelling at The Walled Garden, High Street, Wickham Market.

As the Council controlled the access between the proposed parking area and publicly adopted highway at High Street, the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown an aerial image of the site. The Planner displayed the proximity of the Council-operated car park and surrounding development to the application site.

The Committee received photographs of the site demonstrating views of the public car park entrance, the site boundaries, views into the site, the existing outbuilding to be replaced, the existing site access and from within the site towards the site access.

The Planner displayed the block plan, elevations and roof and floor plans, along with computer-generated visualisations of the development.

The material considerations and key planning issues were summarised as design, heritage and access.

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

The Chair invited questions to the officers. In response to a question on archaeological investigation of the site prior to development, the Planner confirmed this was not a recommended condition. The Planning Manager (Development Management, Major Sites and Infrastructure) explained that the Suffolk County Council Archaeological Service regularly monitored planning applications and provided comments on those with archaeological potential, making it known when it considered a condition for investigation was required. The Planning Manager confirmed that officers consult Archaeological Services when there is an archaeological constraint.

The Planner confirmed that the existing access would be required to be pedestrian only and this would be controlled via condition, noting that this would only apply to the new dwelling and not to existing dwellings where a right of vehicular access applied.

There being no public speaking on the application, the Chair invited the Committee to debate the application before it. Councillor Ninnmey noted that the Council's Design team had encouraged the applicant to relate to the host site and given the planning history on the site was confident the development was appropriate. The Chair added that it was positive to see the site being put to good use.

There being no further debate, the Chair sought a proposer and seconder for the recommendation to approve the application as set out in the report. On the

proposition of Councillor Hedgley, seconded by Councillor Ninnmey, it was by a unanimous vote

RESOLVED

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

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawings:

- 22-021-PL-01D (Proposed layout and elevations);
- 22-021-PL-02E (Existing and proposed site plans, location plan).

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

3. No building work shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Full specification of all external materials.
- (ii) A methodology statement confirming how existing historic fabric will be salvaged following demolition of the existing wall/ attached structures and reused in the construction of the approved development.
- (iii) Large scale details of all windows, glazed panels and external doors, including materials and finishes.
- (iv) Large scale details of parapet, eaves, verges, external flue, rainwater pipes and rainwater goods, including materials and finishes.
- (v) A layout for the approved PV panels, including relationship with surrounding parapet.
- (vi) Full specification of gates to north boundary wall and east entrance to site.
- (vii) A photographic record of existing wall and existing structures prior to demolition.

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

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

4. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved by the Local Planning Authority:

- a) A desk study and site reconnaissance, including:
 - a detailed appraisal of the history of the site;
 - an inspection and assessment of current site conditions;

- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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

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

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 5 must be completed in its entirety. The Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

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

7. A validation report must be submitted to and approved by the Local Planning Authority prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

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

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

8. In the event that contamination which has not already been identified to the Local Planning Authority is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed by the Local Planning Authority no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved by the Local Planning Authority.

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

9. The use shall not commence until the area(s) within the site shown on Drawing No. 22-021-PL-02E for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

10. The use shall not commence until the area(s) within the site shown on Drawing No. 22-021-PL-02E for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

11. Before the development is occupied the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be made available for use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

12. Prior to commencement an Ecological Enhancement Strategy demonstrating how ecological enhancements will be achieved on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved measures will be delivered prior to first use and retained in accordance with the approved strategy.

Reason: To ensure that the development delivers ecological enhancements.

13. Prior to the commencement of development, a detailed Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), produced in accordance with BS5837:2012, shall be submitted to and approved in writing by the Local Planning Authority.

The TPP shall show the extent of root protection areas, details of ground protection measures and fencing to be erected around retained trees, including the type and position of these.

The protective measures contained within the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed.

The AMS shall include details of all construction measures within the root protection areas of those trees on and adjacent to the application site which are to be retained, including the position, depth, and method of construction/installation/excavation of any hard landscaping, service routes and drainage systems.

The TPP and AMS shall include a schedule of monitoring and a programme of arboricultural supervision by a suitably qualified arboriculturalist.

Thereafter, the development shall be carried out strictly in accordance with the approved TPP and AMS unless otherwise agreed by the Local Planning Authority.

Reason: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Local Plan Policy SCLP10.4.

14. 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.

15. The approved hard and soft landscaping and planting works shall be implemented not later than the first planting season following occupation 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.

16. The existing site entrance off High Street shall be used for pedestrian access only as shown on approved drawing no.22-021-PL-02E and at no time shall this access be used by vehicles for purposes associated with the hereby approved development.

Reason: In the interest of highway safety and the protection of the local environment.

17. No development shall commence until a detailed Construction Management Plan has been submitted to and approved by the Local Planning Authority. This statement shall be agreed in consultation with the County Council Highway Authority and shall include the following:

- Site operating hours, including hours of construction/activity and deliveries to and from the site;
- Measures to ensure public safety and site security informed by a detailed risk assessment of the entire construction phase;
- A detailed methodology and programme for all construction works;
- Measures to limit noise and vibration;
- Measures to manage air, dust, stormwater and site drainage/sediment;
- Measures to manage site waste;
- Measures to manage, store and re-use materials;
- Measures to manage traffic, including all access routes to and from the site;
- The means and frequency of engagement with adjacent owners throughout the entire construction phase;
- The location of parking areas for construction and commercial vehicles.

Thereafter the approved Construction Management Plan shall be adhered to throughout the entire construction phase of the development, unless otherwise agreed by the Local Planning Authority.

Reason: To reduce the potential impacts of construction, including additional vehicular movements in the area during the construction phase of the development.

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.

8 DC/22/0103/FUL - The Promenade, Sea Road, Felixstowe, IP11 2QN

The Committee received report **ES/1563** of the Head of Planning and Coastal Management, which related to planning application DC/22/01013/FUL.

The application sought full planning permission to use the land to site an observation wheel attraction (the wheel) for a temporary period of six months. As the Council was the landowner the application was before the Committee for determination, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Principal Planner, who was the case officer for the application. The Committee was advised that a temporary period of six months was sought to ascertain the impact of the wheel in respect of noise, anti-social

behaviour and other disturbances. The Principal Planner explained that the applicant had agreed heads of terms for a six-month licence, which would require them to fully reinstate the site to its original condition at the end of the period.

The site's location was outlined and the Committee was shown photographs of the site demonstrating views looking into the site and looking both south and north along Sea Road. The Principal Planner stated that the nearest dwelling was almost 100 metres away from the application site.

The Committee was shown the existing and proposed block plans; the Principal Planner confirmed the wheel was a mobile attraction which would be installed on a platform and had 24 pods, which could accommodate six persons each. The Committee was shown the areas of the wall bordering Sea Road that would need to be removed for access to the attraction.

The Principal Planner displayed the existing and proposed promenade elevations and noted the comments of Felixstowe Town Council of the function of the wall bordering Sea Road; a condition was proposed that any extended closure period of the attraction would require the applicant to temporarily close the access points with boarding.

The elevations for the wheel were displayed and the Principal Planner noted the prominence of the structure. The Committee was shown photographs and a short video clip of the wheel in operation at night.

The material considerations and key planning issues were summarised as the visual impact, tourism, the impact on residential amenity, highways and parking, and flood risk.

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

The Chair invited questions to the officers. The Principal Planner confirmed that any further applications after the six-month period would be determined by the Committee as the site was on Council owned land. The Committee was advised that the proposed noise measurement would be in relation to any noise resulting from the operation of the wheel.

In response to a further query, the Principal Planner noted that the licence issued to the applicant by the Council as landowner required a full reinstatement of the site to the original block plan at the end of the licence period.

Officers were satisfied that the development would not result in an unacceptable loss of privacy, given the distances between the wheel and residential developments. It was confirmed that no sections of the coastal defence wall would be removed and that given the width of the construction, there would not be a direct route through the garden for pedestrians.

In response to questions regarding masterplanning for Felixstowe Seafront, the Planning Manager (Development Management, Major Sites and Infrastructure) explained that the Council's regeneration team continued to identify opportunities for

masterplanning and this section of the seafront presented a significant opportunity to improve the tourism offer and regenerate the gardens; the Committee was advised that the time-limited nature of this application fitted with any different vision for this space in the long term.

The Principal Planner advised that the majority of representations had come from individuals.

The Chair invited Mr Hedges, the applicant, to address the Committee. Mr Hedges said he had nothing further to add and was present to answer the Committee's questions.

The Chair invited questions to Mr Hedges. Mr Hedges advised that should permission be granted he was looking to complete the groundworks and implement the operation by mid-July 2023. Mr Hedges said it was his intention to continue the operation until the October 2023 half-term holiday then cease it, reinstate the site and assess the impact of the operation.

Mr Hedges confirmed that the wheel could accommodate a maximum of 144 persons but he did not expect that the wheel would operate at full capacity, based on practical experience. Mr Hedges said he expected peak and off-peak times of operation to occur. Mr Hedges stated that the operation would be stewarded, including the management of queues.

In response to a query about the mobility of the wheel, Mr Hedges explained that it was a well designed and monitored construction, last used at Easter 2023. Mr Hedges confirmed that an inspector was already booked to stress-test the wheel before its erection and it will be signed off before it is operated on the site.

The Chair invited the Committee to debate the application that was before it. Members considered the proposals to be positive; Councillor Deacon said that Felixstowe was a resort "on the up" and the wheel would enhance the tourism offer, noting that the trial period was a sensible way to address any issues.

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

RESOLVED

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

1. The development hereby permitted shall cease within six months of the date of this permission. Within one month of the expiry of this permission, the site shall have been returned to its current form and appearance with the raised grass beds, central walkway and prom boundary wall reinstated in accordance with drawing 5896/02.

Reason: For the avoidance of doubt as to what has been considered and approved - a temporary permission is considered necessary to properly assess the impacts of the development when operational.

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 01 and 02, received 11 January 2022, 04a, 04b rev. B, 04c rev. B, 05 rev. A, 06 rev. C and Landscape Statement, Flood Risk Assessment, Planning Statement rev. A, Technical Document, Risk Assessment and Method Statement all received 2 June 2023 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. If the observation wheel hereby permitted is not operational for a period in excess of 24 hours, the gaps created within the promenade facing boundary wall for access and egress shall be infilled as indicated on drawing 04c rev. B.

Reason: To minimise the impact of sand and/or shingle entering the grassed areas and to ensure some visual continuity of the existing promenade wall when the wheel is not operational and prior to its reinstatement.

4. Prior to operation of the observation wheel hereby permitted, the site owner/manager shall subscribe to the Flood Warning Service area. Upon receipt of a Flood Warning or extreme weather warning, the site should be closed and evacuated, and remain so until the Flood Warning is lifted.

Reason: In the interest of minimising risk to users and staff of the site.

5. Noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be carried out while the wheel is operational (to include while powered by the back-up generator) and submitted to the local planning authority prior to the expiry of this planning permission. This should include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the 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 order that an accurate noise assessment of the attraction can be considered in the interest of amenity and protection of the local environment.

6. All noisy construction and deconstruction activities (i.e. those audible beyond the site boundary) shall be restricted to the following hours:

Monday - Friday: 7.30-18.00

Saturday : 8 - 13.00

Sundays/Bank Holidays: No noisy working.

The observation wheel shall only operate during the following times:

Monday - Friday 10.00 - 21.00

Saturday 10.00 - 22.00

Sundays and Bank Holidays 10.00 - 21.00

Construction and de-construction of the wheel and wheel operation shall be carried out entirely in accordance with the Method Statement, Technical Documentation and Risk Assessment submitted with the application.

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

7. There shall be no floodlighting on the site at any time. When the wheel is not operational, there shall be no external lighting except for low level security lighting that shall not be positioned above one metre above the proposed platform.

Reason: In the interest of amenity and 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.

2. The applicant's attention is drawn to the comments from the Environment Agency regarding the need for a Flood Risk Activity Permit.

3. The applicant is advised that this planning permission does not 'trump' any lease or license granted by the Council as landowner (or vice versa) and that all necessary permissions must be in place and complied with in full for the operation to be lawful.

4. The applicant's attention is drawn to the comments received from the Council's Environmental Protection Team with regards to the noise survey. Given the temporary nature of this permission, it is considered appropriate to ensure a noise assessment is carried out while the site is operational to obtain accurate readings of the wheel in situ. This does not alleviate the applicant of their responsibility in relation to noise nuisance and the Council will investigate any complaints of statutory noise nuisance.

The meeting concluded at 3.33pm.

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Chair



Planning Committee South

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

25 July 2023

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 26 June 2023. At present there are 17 such cases.

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

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

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *4 current cases*

- B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *7 current cases*
- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *No current cases*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current case*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *1 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *3 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 26 June 2023 be noted.

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

A.1

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/06/2023

A.2

LPA Enforcement Case Reference	ENF/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
Nature of Breach: Change of use of cartlodge to a shop.	
Summary timeline of actions on case 19/01/2023 – Enforcement Notice served. Comes into effect on the 20/02/2023 20/02/2023 – Extension of time agreed to 20/10/2023	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.3

LPA Enforcement Case Reference	ENF/21/0510/DEV
Location / Address	Part Land East Of Chapel Barn Farm, Leiston Road, Aldeburgh
North or South Area	North
Date of Report of Breach	19.11.2021
Nature of Breach: Caravan sited for residential use with new hardstanding and associated works	
Summary timeline of actions on case 16/02/2023 – Operational and material change of use Enforcement Notices served. Both come into effect on the 20/03/2023	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	20/07/2023

A.4

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022
Nature of Breach: Residential occupation of holiday let	
Summary timeline of actions on case 28/03/2023 – Breach of Condition Notice served. Comes into effect on the 27/04/2023.	

There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given.

Current Status/Position

In compliance period.

Date by which Compliance expected (or prosecution date)	27/04/2024
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B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal

B.1

LPA Enforcement Case Reference	ENF/2019/0307/COND
Location / Address	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
North or South Area	North
Date of Report of Breach	16.07.2019
Nature of Breach: Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
Summary timeline of actions on case 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. 07/12/2021 - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645 21/01/2022 - Statements submitted to Planning Inspectorate by 21/01/2022. 01/02/2022 – final comments date for comments on Appeal	
Current Status/Position Awaiting Planning Inspectorate Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.2

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

<u>Current Status/Position</u> Awaiting Planning Inspectorate Appeal Decision	
Date by which Compliance expected (or prosecution date)	Dependant upon date and outcome of Appeal Decision

B.3

LPA Enforcement Case Reference	ENF/21/0003/DEV
Location / Address	26 Highland Drive, Worlingham
North or South Area	North
Date of Report of Breach	30.12.2020
<u>Nature of Breach:</u> High fence adjacent to highway.	
<u>Summary timeline of actions on case</u> 07/04/2022 - Enforcement notice served and takes effect on 09/05/2022. 2 months for compliance. 25/05/2022 - Appeal start date. Written Representations Procedure. PINS Reference APP/X3540/C/22/3297741 23/06/2022 – Statements submitted 21/07/2022 – target date for comments on statement of case.	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.4

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due.	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision	

Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision
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B.5

LPA Enforcement Case Reference	ENF/21/0121/USE
Location / Address	The Pastures, The Street, North Cove
North or South Area	North
Date of Report of Breach	17.03.2021
Nature of Breach: Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
Summary timeline of actions on case	
03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance	
14/11/2022- Pre-start letter from Planning Inspectorate	
14/12/2022- Appeal started. Written Representations Process, statement due by 6 th February 2023. PINS Reference APP/X3540/C/22/3312353	
Current Status/Position	
Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.6

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

B.7

LPA Enforcement Case Reference	ENF/22/0158/DEV
Location / Address	11 Wharton Street, Bungay
North or South Area	North
Date of Report of Breach	20.05.2022
Nature of Breach: Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
Summary timeline of actions on case	
<p>28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance</p> <p>09/01/2023 – Pre-start letter from Planning Inspectorate</p> <p>31/01/2023 – Start letter received from Planning Inspectorate, statements required by 14th March 2023.</p>	
Current Status/Position	
Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

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

There are currently no cases at this stage.

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

D.1

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)	
<u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. 25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action. 19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30 th January 2023. 30/01/2023 - Court over listed and therefore case relisted for 27 th March 2023 27/03/2023 - Defendant did not attend, warrant issued, awaiting decision from court.	
<u>Current Status/Position</u> Awaiting Court outcome	
Date by which Compliance expected (or prosecution date)	Dependant on Court outcome

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

E.1

LPA Enforcement Case Reference	ENF/2018/0543/DEV
Location / Address	Land at North Denes Caravan Park, The Ravine, Lowestoft
North or South Area	North
Date of Report of Breach	21.12.2018
<u>Nature of Breach:</u> Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	
<u>Summary timeline of actions on case</u> 02/05/2019 - Temporary Stop Notice Served and ceased 30/05/2019 24/05/2019 - Enforcement Notice served, came into effect on 28/06/2019 25/05/2019 - Stop Notice Served comes into effect 28/05/2019. 08/06/2020 – Appeal process started. Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 02/02/2021 – Appeal Hearing date. Hearing adjourned until 09/03/2021. Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. 18/05/2021 - Appeal dismissed and partial costs to the Council 18/08/2021 - Compliance with Notice required 31/10/2021 - Extension of time granted for compliance until 31/10/21. 15/11/2021 - Further extension of time granted for compliance until 15/11/2021. 18/11/2021 - Site visited, no works undertaken, case to be referred to legal department for further action to be considered. 20/12/2021 - Certificate of Lawful Use (Proposed) application submitted (reference DC/21/5671/CLP) 12/04/2022 - Certificate of Lawful Use (proposed) refused. 25/05/2022 - Appeal in relation to Certificate of Lawful Use (proposed) refusal started. Hearing process. PINS Reference APP/X3540/X/22/3299754 08/07/2022 – Appeal statement submitted 29/07/2022 – Final date for comments on statements 11/01/2023 – Council applied to the High Court for an Injunction. 30/01/2023 – Case adjourned for legal reasons, awaiting new court date 03/02/2023 – High Court date for an Injunction hearing 18 th & 19 th May 2023 22/02/2023 – Hearing on appeal for refused certificate of lawful development set for 12 th July 2023. 18/05/2023 – Injunction sought from High Court in relation to non-compliance with EN, Injunction granted – 90 days to undertake the works.	
<u>Current Status/Position</u> Appeal date set in relation to Certificate of Lawful Use (proposed) refusal.	

Injunction granted to remove works.	
Date by which Compliance expected (or prosecution date)	Before 18 th August 2023

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

F.1

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

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

F.2

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

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

F.3

LPA Enforcement Case Reference	ENF/21/0441/SEC215
Location / Address	28 Brick Kiln Avenue, Beccles
North or South Area	North
Date of Report of Breach	29.09.2021
<p><u>Nature of Breach:</u> Untidy site</p>	
<p><u>Summary timeline of actions on case</u></p> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p>	
<p><u>Current Status/Position</u></p>	

In compliance period	
Date by which Compliance expected (or prosecution date)	Depending on legal action

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

G.1

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

Date by which Compliance expected (or prosecution date)	31/12/2023
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Committee Report

Planning Committee South – 25 July 2023

Application no DC/22/4985/FUL

Location

Hungarian Lodge
High Street
Ufford
Suffolk
IP13 6EL

Expiry date 6 March 2023
Application type Full Application
Applicant Aviary Developments Ltd

Parish Ufford
Proposal Construction of 1 dwelling
Case Officer Rachel Smith
07887 452719
rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1 The application seeks full planning permission for the erection of one dwelling on land at Hungarian Lodge, High Street, Ufford.
- 1.2 The application is being presented to Planning Committee South for determination following it being heard at the Referral Panel meeting on 4th July 2023. The Referral Panel considered that there were significant planning considerations and public interest in the application such that the proposal should be determined by Committee.
- 1.3 The application proposes the erection of a detached dwelling on land within the Ufford Settlement boundary. It is considered that the design and visual impact of the proposed development is acceptable and that there would not be a significant adverse impact on the amenity of neighbouring residents. The application is therefore recommended for approval.

2. Site Description

- 2.1 The application site lies on the western side of High Street, within the Settlement Boundary of Ufford. The site currently forms part of the garden of Hungarian Lodge, a large detached dwelling situated on a generous plot to the south of the application site. Access to Hungarian Lodge and the application site is off Lodge Road to the north. Lodge Road also serves a number of other residential dwellings which back on to High Street. The existing properties within Lodge Road were constructed in the late 1980s and are mainly one and a half storeys in scale with no. 11 being the exception at two storeys. The application site is located immediately to the south of no. 11 Lodge Road, the last dwelling within this row that backs on to High Street.
- 2.2 To the south of the application site is the residential garden area serving Hungarian Lodge and to the west, on the opposite side of Lodge Road, is a grassed meadow area located outside of the defined Settlement Boundary.
- 2.3 While Hungarian Lodge is not Listed, the adjacent dwelling further south, The Red House, and the Crown Public House to the southeast of the site are both Grade II Listed buildings. Ufford Conservation Area is located approximately 700 metres to the southeast.
- 2.4 The site is located within Flood Zone 1 and there are no Tree Preservation Orders on the site or within the immediate vicinity.

3. Proposal

- 3.1 The proposal seeks to erect a dwelling on the site. The application has been amended since it was first submitted. The original scheme proposed a two-storey dwelling. This was subsequently amended to a bungalow which was later further amended to reduce the footprint and height (again, of a bungalow). Each version of the plans has been out for consultation.
- 3.2 The most recently submitted plan is that which is being considered. This proposes a detached, three-bedroom bungalow. Access to the site would be to the northwest of the plot at the end of Lodge Road. Two off road parking spaces would be provided adjacent to the access, immediately to the south of the neighbour's forward projecting garage. The proposed bungalow would be set back on the site, approximately in line with the main part of the other dwellings in Lodge Road, however, it would extend further back (towards High Street) than its immediate neighbour. It would be situated approximately 1.5 metres off the shared boundary with the neighbouring property to the north and would have a rear garden depth of approximately 10 metres.
- 3.3 The bungalow would have a 'T' shape plan form with a maximum ridge height of 4.5 metres. It would have a forward projecting gable to the north, closest to no. 11, with the roof pitch sloping away from the nearest neighbour. It would also have a southern facing gabled 'wing' extending across the majority of the site. The proposed bungalow would be finished in white render under a clay pantile roof.

4. Consultees

Third Party Representations

- 4.1 Letters were received from 19 addresses in the first round of consultation (in response to the proposal for a two-storey dwelling). 18 of these objected to the proposal and one was in support.
- 4.2 There were letters of objection from 8 addresses to the second round of consultation and letters from 7 addresses to the third round of consultation. All those who commented on the second and/or third consultations had previously commented. All neighbour letters received in response to all of the consultations are available in full online. The main points from the second and third rounds of consultation (which are the plans most relevant to the current proposal) are summarised below:
- The loss of light suffered by 11 Lodge Road at some windows is significant even with a bungalow.
 - The Daylight and Sunlight Report shows that the worst affected Window 5 (Dining Room) of 11 Lodge Road would suffer a loss of 48% of daylight, along with unacceptable losses of sunlight.
 - There would be shadowing of the garden of no. 11 Lodge Road, particularly the outdoor seating area outside Window 5.
 - The building line at the rear is closer to the High Street than any other houses in Lodge Road.
 - An adverse impact on the street scene, and on views from the cottages opposite, and the setting of the local listed buildings of the Ufford Crown, and The Red House.
 - A very simple bungalow style dwelling, which has no design features in common with the Lodge Road houses.
 - Concerned over surface water drainage
 - No space to turn and vehicles would not be able to arrive and leave in forward gear.
 - There is no plan for cycle storage or bin storage, and presumably an EV charging point would now be on the front of the house.
 - No space for visitor parking.
 - The proposed dwelling will cut out a lot of daylight and sunlight into the front of the cottages on High Street opposite.
 - It will not look like any other cottages or houses in the vicinity and will stand out like a "sore thumb".
 - The plans make no attempt to acknowledge the appearance and setting of other properties on Lodge Road or the special architectural character of important listed buildings.
 - Changes are fundamental and should have been made as a new application.
 - Proposed bungalow would encroach needlessly and excessively against 11 Lodge Road.
 - The plans will lead to a significant loss of light for the proposed property.
 - Access concerns over use of a private road.
 - The design fails to respond to the local vernacular specific to the site and is generic and of poor quality.
 - Front and rear garden setbacks have all been ignored from all of the adjacent properties on Lodge Road
 - Inconsistency of roof pitches makes the design unsightly.

- Over 50% of the site will be occupied by the building and driveway. This is excessive over development when the normal ratio is 20-30% in this area.
- Impact on privacy to 11 Lodge Road.
- No Heritage Impact Assessment has been submitted.
- No streetscene plans have been submitted.
- The proposed dwelling's garden will be overlooked by neighbouring properties.
- No local consultation was carried out prior to the application being made.
- An appeal has previously been refused on this site.
- There has been no ecological impact assessment undertaken.
- No evidence to back the claim that there is demand for bungalows in the area.
- Ruin the look of this part of the village which is one of the last remaining older parts of the village.
- Loss of light to front of cottages opposite.

Parish/Town Council

Consultee	Date consulted	Date reply received
Ufford Parish Council	11 January 2023	20 January 2023
<p>Summary of comments: With reference to the above application, Ufford Parish Council wish to indicate that they have no objections to this proposed development.</p>		

Consultee	Date consulted	Date reply received
Ufford Parish Council	N/A	8 February 2023
<p>Summary of comments: Further to our correspondence of 20th January 2023, Ufford Parish Council would like to make further observations on this application. We believe the Pre-Application planning advice (REF DC/22/3682/PREAPP) should have advised that the following information should be provided by the applicant with the subsequent application DC/22/4985/FUL:</p> <ul style="list-style-type: none"> • A Light Impact Assessment on the neighbouring properties, particularly No. 11 Lodge Road, which is more than 20 years old. We understand that there may be a right to light for the benefit of that property which we believe will need to be taken into consideration before any decision on this application is made. A full light survey therefore appears essential prior to determining this application. • That Natural England should also be consulted on the requirement for an Ecological Assessment or Survey. We note that this consultation has subsequently been mandated on the public access portal by the ESC Ecologist on 30th January 2023. • That, should the officer be minded to approve this application, the case be decided by Planning Committee, due to the extent of neighbour opposition. 		

Consultee	Date consulted	Date reply received
Ufford Parish Council	20 April 2023	29 May 2023

Summary of comments:

Further to our correspondence of 20th January and 8th February 2023, Ufford Parish Council have now considered the amended plans for this proposed development and we would like to strongly object to these plans. Whilst we accept that the site is within the Settlement Boundary, we have a number of serious concerns with the proposed development.

Extent of the amendments

Before commenting on the amended plans we would like to express our astonishment that this level of amendment has not resulted in a new application and therefore completely new consultation. The change from a four bed house to a three bed bungalow is substantial and we feel this level of amendment warrants a completely new application. Permitting this change as a 'revision' to the application to build a larger house originally submitted in December of last year risks setting an unfortunate precedent for other applicants – and not only in Ufford.

Loss of amenity to 11 Lodge Road and Properties opposite the site

The amended plans now show a bungalow with a larger footprint than the two storey house. It now occupies a large proportion of the site, virtually along the whole southern boundary, with only minimal service access; and on the side adjacent to 11 Lodge Road it is very close indeed, with the only useful access to the rear of the property. The rear of the property is now also closer to the High Street. Taken as a whole this represents overdevelopment of the site. Even though amended to a bungalow, this still affects light in to 11 Lodge Road (as shown in the applicant's report). Both 11 Lodge Road and The Old Forge have enjoyed unlimited light in to their properties for many years and therefore the BRE exception referred to in the Light Survey is neither valid nor applicable. There is also concern that the Velux Windows will permit a direct line of sight in to the cottages opposite on High Street, which sit much lower than the Hungarian Lodge site.

Impact on Street Scene

The depth of the bungalow means it will have a direct impact on the High Street 'street scene'. There is still no street scene drawing as suggested in the pre-application advice. We also note that the applicant has failed to provide any details or impressions of the street scene in what is a sensitive area of the village.

Effect on Listed Buildings in the location

The proposed bungalow is in line of direct sight of two historic buildings in Ufford: The Red House and The Ufford Crown and it is also opposite one of the oldest houses in the village, The Old Forge. It will have an absolute impact on their historic setting within the village.

Materials

The Plans indicate 'full render in chalk white'. None of the other houses in Lodge Road or opposite the site, are this colour so the proposed bungalow will look out of place with its context.

Missing details in the Plans

As noted in our previous correspondence, there is no Design and Access statement and the plans are lacking in substantive details. The following details are not shown on the plans:

- Where will bins be stored?

- Will there be Solar panels?
- What will the heating system be? If it is an Air Source Heat Pump, what will be the impact of this on the neighbouring properties?
- Why is no EV Charging Point detailed in the plans?
- There are no details of the water drainage system.

Consultation with Natural England

As far as we can see, there has been no consultation with Natural England as to the impact this development will have on the environment in the area. This patch of land represents a green corridor in Ufford. The plot was previously planted with trees and serves as an important wildlife corridor between the grassy areas on Lodge Road and the High Street.

For the above reasons we urge you to refuse the application.

Consultee	Date consulted	Date reply received
Ufford Parish Council	1 June 2023	21 June 2023

Summary of comments:

Further to our correspondence of 20th January, 8th February 2023, and 30th May 2023; Ufford Parish Council have now considered the latest amended plans (revision H published 31/5/23 and revision I 14/6/23) for this proposed development, we maintain our strong objection to these plans.

We request that our previous serious concerns and objections regarding street scene, amenity, neighbour impact, listed buildings, and materials still stand to this development and we also object based on the new plans (revision H and revision I), which present a confusing picture of the application, for the following reasons.

1. Proximity to 11 Lodge Road - We note that the development is still unnecessarily crowding its neighbour at 11 Lodge Road and therefore leading to significant disturbance in light levels. The applicant seems to have taken no account of the previous comments from consultees and neighbours in producing revised plans. Repositioning the building on the available land owned by the applicant would help alleviate much of this problem.
2. Confused and Conflicting Plans - Compared to revision G site layouts, revision H indicates a marginally smaller overall footprint with removal of one gable to the rear at opposite end of building to that neighbour. However, the planning portal identifies two separate DC/22/4985/FUL, revision H section diagrams based upon drawing 1400-05. One version shows a higher ridge height compared to the other with no explanation as to which is applicable. Without this knowledge and a clearly labelled and identified reference diagram, it is impossible for planners or anyone else to assess the overall street scene, local impact of the development, or the potential light deprivation to the neighbouring property at 11 Lodge Road.
3. Chimney added with no detail on floor plans - Newly detailed in diagram 1400-04 (revision H) is a chimney. This has not been present in any previous plan, but it is not supported by or included in Floor Plans 1400-03 (revision H) or 1400-03 (revision I) that appear to show the chimney and fireplace emanating in a wardrobe. In order that consultees can reasonably comment

on this new feature, what fireplace shall exist and what fuel is planned to be burnt? Is this proposed to be part of the heating system for the property?

4. Suffolk County Council Highways - Ufford Parish Council would also like to question the latest Highways consultee response. Following the original application DC/22/4985/FUL, (22/12/2022) revision C of the plans. Highways response of 13/1/2023 requested information about bin storage and electric vehicle charging point. Following the resubmission of plans by the applicant (16/1/2023) revision D plans, Highways again reiterated conditions for bin storage and electric vehicle charging and added cycle storage and parking conditions in their response of 17/1/2023. Following another update of plans (20/4/2023) revision G, more conditions were added to highlight issues with vehicle access, on-street parking and manoeuvring, lit and covered cycle storage and discharge of surface water onto the highway. In highways latest response, dated 15 June 2023 to plans, (31/5/2023) revision H and 14/6/2023 revision I, despite nothing forthcoming to alleviate their previous concerns Highways (their response 15/6/2023) appear to now be perfectly accepting of the latest revision and plans. Please can this dramatic change in response to accept the current submission be fully investigated and explained?

For the above reasons we urge you to refuse the application.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	17 January 2023	20 January 2023
Summary of comments: No objection - recommend standard conditions.		

Consultee	Date consulted	Date reply received
SCC Highways Department	11 January 2023	13 January 2023
Summary of comments: Holding objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	19 January 2023	19 January 2023
Summary of comments: Comments on Access and Fire Fighting Facilities and Water Supply.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	11 January 2023	12 January 2023
Summary of comments: No objections - recommend standard condition if contamination is found.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	11 January 2023	30 January 2023
Summary of comments: Comments included in officer report below.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	11 January 2023	20 January 2023
Summary of comments: Comments included in officer report below.		

Consultee	Date consulted	Date reply received
Ward Councillor	1 June 2023	No response
Summary of comments: None received.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	20 April 2023	11 May 2023
Summary of comments: No additional comments.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	20 April 2023	21 April 2023
Summary of comments: No additional comments - recommends same standard land contamination condition.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	20 April 2023	21 April 2023
Summary of comments: No additional comments.		

Consultee	Date consulted	Date reply received
SCC Highways Department	20 April 2023	11 May 2023
Summary of comments: No objections, suggests conditions.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	20 April 2023	12 June 2023
Summary of comments: No additional comments.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	1 June 2023	No response
Summary of comments: None received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 June 2023	7 June 2023
Summary of comments: No additional comments - recommends same standard land contamination condition.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	1 June 2023	2 June 2023
Summary of comments: No additional comments.		

Consultee	Date consulted	Date reply received
SCC Highways Department	1 June 2023	15 June 2023

Summary of comments:
Revised plans can be referenced in conditions as previously recommended.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	1 June 2023	12 June 2023
Summary of comments: No additional comments.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: New Dwelling
Date posted: 19 January 2023
Expiry date: 9 February 2023

5. Planning policy

National Planning Policy Framework 2021

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP5.2 - Housing Development in Small Villages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning Considerations

Principle of Development

- 6.1 The application site is located within the defined Settlement Boundary of Ufford which is designated as a Small Village within the Local Plan. The principle of new residential development is acceptable within Settlement Boundaries (Policies SCLP3.2 and SCLP3.3) where in accordance with other policies in the Local Plan. In this case, SCLP5.2 and SCLP5.7 are relevant (Housing Development in Small Villages and Infill and Garden Development, respectively).
- 6.2 It is noted that reference has been made to a previous appeal decision on the application, however, this was from 1987 (35 years ago) and one of the reasons for refusal is that the principal of development would be contrary to the Local Plan at the time. It is therefore not considered that this is a relevant comparison to make now.
- 6.3 SCLP5.7 relates to Infill and garden development which is relevant to the consideration of this proposal. This policy states "Proposals for infill development or residential development within existing gardens will be supported where:
- a) The scale, design and materials would not result in harm to the street scene or character of the area;
 - b) The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site;
 - c) There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;
 - d) Existing and proposed dwellings have sufficient curtilage space; and
 - e) The proposals are otherwise in accordance with the housing policies of the Local Plan."
- 6.4 The requirements of this policy will be assessed in relation to other relevant policies of the Local Plan below.

Design and visual impact

- 6.5 The proposed dwelling would be single storey in scale and finished in white painted render under a tiled roof. While it is recognised that the majority of dwellings within the immediate area are either one-and-a-half-storey or two storeys in scale, there is no in principle objection to a bungalow being situated on the site. Its single-storey scale would also reduce its prominence with the street scene. Given the site access, at the end of Lodge Road with only Hungarian Lodge located further south and accessed from Lodge Road, its presence within the Lodge Road street scene would be limited. The proposed dwelling would, however, be visible from the High Street as the existing southern elevation

of 11 Lodge Road currently is. While 11 Lodge Road is relatively prominent from the High Street, particularly from the south given the road level rises further south, it is not considered that this property has a detrimental impact on the street scene. Similarly, a smaller scaled bungalow located in front of no. 11 would also be visible from High Street, but to a lesser degree given its height. Its location to the north of Hungarian Lodge, which is otherwise located on a spacious plot, would only marginally impact on the spacious/green character currently visible on the approach to this part of the village.

- 6.6 Concern has been raised with the proposed materials - white painted render. While there are no white painted dwellings in the immediate vicinity, the dominant finish in the area (albeit not on all nearby properties), is of a paint finish. While render is used, there are also examples of painted brick. The existing properties in Lodge Road are mainly painted render, albeit a cream/off-white colour. It is not considered that the use of painted render is inappropriate in this location.
- 6.7 It is not considered that the proposed dwelling would result in an overdevelopment of the plot given it would retain a 10 metre deep rear garden, 17 metres wide. There would also be some front garden space. The existing properties in Lodge Road have similarly deep rear gardens however the plots are also generally narrower.

Impact on Residential Amenity

- 6.8 There has been a lot of concern raised regarding the impact of the proposed development on neighbouring dwellings, particularly 11 Lodge Road, the residential dwelling immediately to the north of the application site. Concern has also been raised in relation to the impact on the occupiers of 1 and 2 Forge Cottages, on the opposite side of High Street.
- 6.9 11 Lodge Road currently has a number of windows at both ground and first floor level facing towards the application site. These are 2.5 to 3 metres off the shared boundary with the application site and the proposed dwelling would be situated 1.5 to 2 metres off the shared boundary. The space within the curtilage of no. 11 between the dwelling and site boundary is used as a patio/sitting out area however there is also a patio area at the rear (east) of the property, accessed from double doors in the living room. The windows on the southern elevation of no. 11 at ground floor serve a dining room and a lounge. Both of these rooms are also served by other windows; the dining room has a north facing window on the northern elevation and the lounge has two additional windows/openings on the east facing elevation facing the rear garden and High Street. At first floor level, the windows serve the stairs/landing, bathroom and bedroom. These windows are the only windows serving these respective rooms, however, the stairs and bathroom would not be considered habitable rooms.
- 6.10 The first revision of a scheme for a bungalow was accompanied by a Daylight and Sunlight Assessment. It is worth noting that this assessment was based on a previous version of the drawings, since which the proposed ridge height of the dwelling has been reduced by one metre (from approx. 5.5 metres to 4.5 metres). This report has been submitted by Right of Light Consulting Surveyors and is based on the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 3rd Edition' by P J Littlefair 2022. A neighbouring resident has submitted a report by Rapleys LLP (a property consultancy) setting out their concerns with the justification used and

conclusions reached in the applicant's report. The applicant's report concludes "*the numerical results in this assessment demonstrate that the proposed development will have a low impact on the light receivable by its neighbouring properties. In our opinion, the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.*"

- 6.11 It is noted that the applicant's report refers to the BRE guidance commenting on different standards being applicable where the existing building already has 'more than their fair share of light' and the Rapleys report counters this by stating that some of the current windows receive levels of light above the BRE standards but this is to be expected in a rural location and that the impact of the development on some windows would result in a significant reduction to light.
- 6.12 It is noted that the BRE guidance states that "*The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design*".
- 6.13 In consideration of the applicant's report, the Rapleys report commissioned by a neighbour, the BRE guidelines document and the Council's SPG16 which gives guidelines in relation to the 25 degree test, it is considered that the main impact of the development would be on light to the middle ground floor room on the southern elevation of no. 11 Lodge Road. This is referred to as Window 5 in the reports and is noted to serve a dining room. Officers have carried out a 25 degree test on this window and it passes. It is also noted that the impact on light reduction to this window will have been lessened following the reduction of the ridge height of the proposed dwelling by one metre following the consultants' reports. While it is noted that the dining room window currently benefits from above average light, given that the development would pass the 25 degree test; the BRE guidance is just that, guidance, and it can be justified to meet this guidance with a metre higher ridge height; and that this room also has a north facing window on its opposite side, although the proposed development would have an impact, it is not considered to be so significant to warrant refusal on this basis.
- 6.14 While Window 7 is also expressed as being significantly impacted (the eastern-most ground floor window on the southern elevation of no. 11), it is noted that two additional openings serve this room (on the eastern elevation) and therefore the impact to this space as whole would be less significant. Similarly, Forge Cottages on the opposite side of Lodge Road would not be impacted significantly in relation to light loss in the evenings given the modest ridge height of the dwelling and the distance between them.

Privacy

- 6.15 No windows are proposed on the northern side elevation of the bungalow facing towards no. 11 and therefore it is not considered that no. 11 Lodge Road would be impacted by a loss of privacy as a result of the development. Concern has also been raised that the cottages opposite would be overlooked given the land level of the application site is slightly higher than on the opposite side of the road. The rear of the new dwelling would be just over 20 metres from the front of the dwellings opposite - given this outlook would be towards the front of the properties, which is generally expected to be a less private

area, and, in this case, is less than 5 metres from the pavement, any views towards these dwellings opposite are not considered to adversely impact on privacy for the occupiers.

- 6.16 The existing first floor windows on the southern elevation of no. 11 Lodge Road face towards the application site. As stated above, two of these serve the stairs/landing and a bathroom and therefore these windows are unlikely to be used to provide outlook/views from no. 11. The eastern-most of these windows serves a bedroom and it is the only window to serve that bedroom. Views from this room currently face across the application site, which currently forms part of the garden to Hungarian Lodge. Having said this, the proposed development would result in the new dwelling having a significantly smaller garden than Hungarian Lodge and this space would therefore be used more intensively by future occupiers. The direct outlook from this window would be across the roof of the proposed bungalow, and while views from this window into the proposed rear garden would be possible, at an angle, it is not considered to be a significantly different impact compared to the degree of common mutual overlooking that might be expected from neighbouring dwellings. The proposed development is therefore not considered to result in a dwelling that would not afford future occupiers with a satisfactory level of privacy.

Ecology

- 6.17 It is noted that some third-party comments note the lack of an Ecological Survey. The Council's Ecologist has considered the proposal and is satisfied that the proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats or species (under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), given the small size of the site and that existing vegetation is limited to the site boundaries.
- 6.18 In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Sandlings SPA; Deben Estuary SPA/Ramsar; Alde-Ore Estuary SPA/Ramsar and Orfordness-Shingle Street SAC) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This has been secured such that it can be concluded that there would be no adverse impact on the integrity of the protected sites.

Trees and Landscape

- 6.19 The Council's Landscape Officer has reviewed this application in respect of potential impacts on existing trees on site, and having visited the site notes that the two indicated trees next to the block paved area are remnant blackthorn or wild plum grown out of what appears to be a former hedge line. There are other minor hedge elements further into the site. There is the potential for the block paved drive installation to have an adverse impact on the root zones of these hedge plants, however, it is considered that they are robust enough to not be unduly affected and actually they would benefit from a hard reduction to encourage basal growth in the interests of restoring the hedge line. With such a reduction they would have further capacity to cope with site disturbance. On that basis there are no objections to the proposal for tree related reasons.

- 6.20 Conditions requiring details of boundary treatment and front garden planting proposals covering front boundary hedge and suitable tree planting are proposed.

Heritage

- 6.21 The application site is not within the curtilage of a Listed Building nor is it within, or within the setting of, the Ufford Conservation Area. There are some Listed Buildings near to the site, most notably The Red House (the residential dwelling south of Hungarian Lodge) and The Crown Public House (on the opposite side of High Street and to the south of the application site). It is noted that 1 and 2 Forge Cottages, opposite, are also historic buildings with some character. Given the distance between the application site and Listed Buildings and intervening development, it is not considered that the proposed development would affect the setting of these buildings and therefore, the application has not been advertised as such.

7. Conclusion

- 7.1 The principle of a new dwelling within the defined Settlement Boundary of a Small Village is acceptable. While there are no other bungalows within the immediate area, it is not considered that a new, rendered bungalow situated adjacent to a row of 1980s rendered dwellings would be noticeably harmful to the character of the wider street scene, noting the proximity, also, of some more historic properties. The impact on residential amenity has been carefully considered and while it is recognised that there would be some impact on light to the nearest neighbouring dwelling, this impact is not so significant to be unacceptable.
- 7.2 There would be no adverse impact on trees or landscape character, no significant adverse impact to protected or priority species, and no significant adverse impact on the integrity of European sites.
- 7.3 The proposal is therefore considered to comply with the Local Plan and a whole.

8. Recommendation

- 8.1 Approve, subject to controlling 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 completed in all respects strictly in accordance with drawing no. 1400-02H received 31 May 2023, 1400-03 I received 14 June 2023, 1400-04 I received 13 June 2023, 1400-05 I received 28 June 2023 and 1400-01 I received 28 June 2023 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.

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

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

4. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

5. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in broad accordance with Suffolk County Councils standard access drawing DM03 with a minimum entrance width of 3 metres for a single access. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

6. Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, and thereafter retained in that form.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 1400-02 Rev. G for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
8. Before the development is commenced, details of secure, lit and covered cycle storage and electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019).
9. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
Reason: To prevent hazards caused by flowing water or ice on the highway.
10. Before the development is occupied details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.
11. Prior to occupation of the dwelling hereby permitted, precise details of all boundary treatments shall have been submitted to, and approved in writing by the local planning authority and subsequently installed on site. Thereafter, the approved boundary treatments shall be retained.
Reason: In the interests of visual amenity and residential amenity.
12. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.
Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.
13. 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.

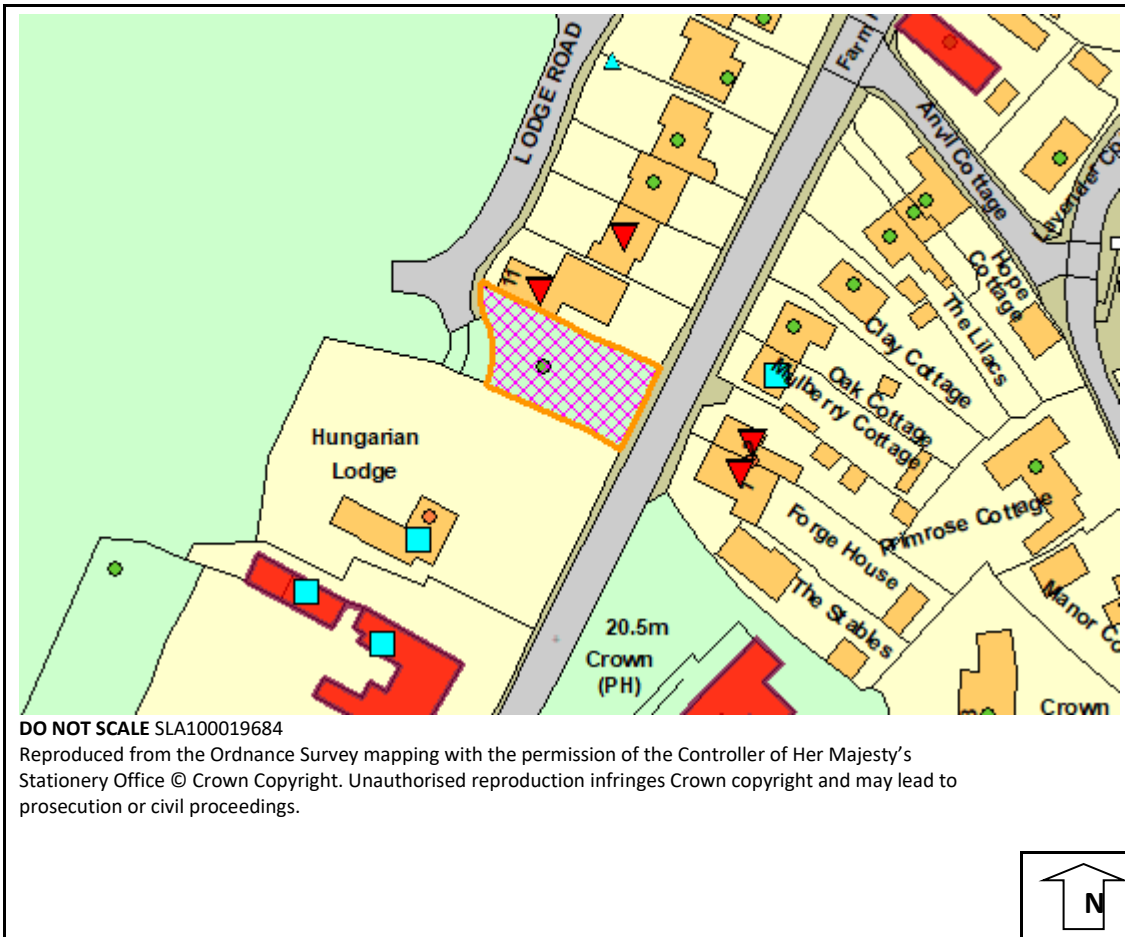
Informatives:

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. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.





Background information

See application reference DC/22/4985/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South – 25 July 2023

Application no DC/23/1294/FUL

Location

19 Penfold Road
Felixstowe
Suffolk
IP11 7BP

Expiry date 23 May 2023

Application type Full Application

Applicant Mr M Saiz

Parish Felixstowe

Proposal Construction of a two-storey side extension

Case Officer Nick Clow
07741 307312
nick.clow@eastsoffolk.gov.uk

1. Summary

- 1.1. The application proposes the construction of a two-storey side extension at 19 Penfold Road in Felixstowe.
- 1.2. The application is being presented to Planning Committee South for determination following it being heard at the Referral Panel meeting on 11th July 2023 due to the officer 'minded to' recommendation of approval being contrary to Felixstowe Town Council's recommendation of refusal. The Referral Panel's decision was split, and the application was therefore referred to the Head of Planning and Coastal Management. The Head of Planning and Coastal Management decided that the application should be determined by the Committee due to the potential impact on No.17 Penfold Road, the streetscene, and bin storage/parking provision.
- 1.3. The proposed extension is considered to be of an acceptable scale, form and design and to comply with the relevant local plan policies listed below in terms of impacts on the

surrounding area, residential amenity and highway safety. The application is therefore recommended for approval.

2. Site Description

- 2.1. The application site is located within the settlement boundary of Felixstowe along Penfold Road to the north-west of the Town Centre. The site accommodates a semi-detached dwelling set back from the road with off-road parking to the front and a modest rear garden. The surrounding area is predominantly residential comprising of dwellings sharing similar features, design and scale. The site is not located with either of the Felixstowe Conservation Areas or the Suffolk Coast and Heaths AONB. No Tree Preservation Orders (TPOs) affect the site.
- 2.2. The demolition of an existing conservatory and erection of two-storey side and single-storey rear extensions was approved under DC/14/0630/FUL however the two-storey side extension has not been built.

3. Proposal

- 3.1. The applicant proposes the construction of a two-storey side extension projecting from the north-eastern elevation towards No.17.
- 3.2. The proposed extension measures approximately 12m in depth, 2.8m in width and 8.7m in height. The extension has a hipped roof sloping away from No.17. The first-floor front elevation accommodates a Juliette balcony, and the ground floor includes a roll over garage door. The northern elevation accommodates a small window at first floor level serving a bathroom and two small windows along the ground floor serving a toilet and utility room. The rear elevation accommodates a window along the first floor.
- 3.3. The applicants also propose a single storey lean-to extension projecting south-west. The lean-to extension accommodates a roof light, and three patio doors are located along the ground floor facing the rear garden.
- 3.4. Two roof lights are to be inserted within the existing roof slope of the single storey lean-to extension.
- 3.5. Materials include facing brickwork and render finishing the exterior walls, pantiles forming the roof and uPVC windows and doors.

4. Consultees

Third Party Representations

- 4.1. No third-party representations have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	30 March 2023	19 April 2023

Summary of comments:
Committee recommended REFUSAL. Currently it is a three-bedroomed property with two or possibly three off-road car parking spaces. The proposed application would convert this to a four-bedroom property. SCC parking standards would require this to then have three parking spaces. The property will now only have one parking space. Penfold Road is a busy town centre street where parking is at a premium. Therefore, this proposal will have unacceptable and detrimental impact on parking at this location.

Additionally, we believe that the proposed extension will cause loss of light to side windows of the neighbouring property and is therefore contrary to SCLP 11.2 para. (c).

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 13 April 2023

Expiry date: 5 May 2023

5. Planning policy

National Planning Policy Framework 2021

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

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

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

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

6. Planning Considerations

Design and Visual Amenity

- 6.1. The proposed extension would project from the side of the host dwelling which is visible from the street scene. Officers are satisfied that the proposed extension appears as a

subordinate addition ancillary to the main property due to the lower ridge height and set back from the principal elevation.

- 6.2. Extensions and alterations to existing dwellings should respect the character and design of the original building. Officers are content that despite the two-storey height of the extension, it retains the character and features of the main dwelling without appearing as over-large or bulky, and that the site is large enough to accommodate a two-storey side extension without appearing as overdevelopment of the plot.
- 6.3. The proposed Juliette balcony along the front elevation is a unique addition to the scheme that introduces a feature to the surrounding area that is uncommon. Although examples of Juliette balconies along Penfold Road are rare, officers do not view the proposed Juliette balcony as a feature that will materially impact the visual amenity of the streetscene and character of the area due to the front elevation being set back from the road. This lessens the prominence of such a feature, and it is not so different to the large window already located in the same position, save for the introduction of a glass balustrade.
- 6.4. A similar two storey side extension was approved on the same site under DC/14/0630/FUL. Although the proposed extension projects further rearwards than the extension previously approved under DC/14/0630/FUL, the principle of extending at two-storey scale from the side of the dwelling without having an adverse impact on the overall streetscene and character of the area is established.
- 6.5. The introduction of rooflights along the rear elevation are not uncommon; several examples can be viewed at Flat 2 Penfold Road and No.'s 1-5 Penfold Road. As they are situated to the rear, officers are satisfied that they will not have an adverse impact on the overall streetscene and character of the area.
- 6.6. Officers welcome the use of harmonious materials such as facing brick, render, pantiles and uPVC which closely replicates the materials used in the construction of the original dwelling and surrounding properties. This complies with SCLP 11.1.

Residential Amenity

- 6.7. Although the proposed extension is two storey in scale and brings the development closer to the boundary with No.17, officers are satisfied that as No.17 is an existing two storey dwelling and given the gap remaining between No.19 and 17, this lessens the potential overbearing impact on the amenity of No.17. The sloping roof away from No.17 also helps reduce its massing along the boundary and lessens any potential overbearing impact.
- 6.8. Three windows on the north-western boundary directly face towards No.17, however, they are all proposed to be obscure glazed. Officers are therefore content that they will not overlook neighbouring private areas and have a detrimental impact on the privacy of neighbouring occupiers at No.17.
- 6.9. The Juliette balcony along the front elevation faces the road and does not provide a new line of sight into any neighbouring private amenity areas; therefore this will not have an adverse impact on neighbouring privacy.

- 6.10. Although a new first floor window is proposed along the rear elevation, any additional overlooking of neighbouring properties will be minimal and no greater than what would be expected within an established residential area with overlooking already present. The rooflights, by their very nature of being inserted within the roof and facing skywards, do not create new lines of sight into neighbouring private areas.
- 6.11. Officers have carefully considered the proximity of the proposed extension with the boundary of No.17 and therefore its impact on the availability of natural daylight/sunlight entering habitable rooms. This was also a concern raised by the Town Council.
- 6.12. 45° and 25 ° tests were carried out to establish the extent to which the extension would result in any loss of light/overshadowing of neighbouring habitable rooms at No.17. The test was not satisfied on the proposed elevation drawing as the proposed extension has an adverse impact on light entering the kitchen window along the south-western elevation. The light tests revealed that the front habitable rooms and first floor windows would be largely unaffected by overshadowing. Natural light entering bathrooms and landings is not as significant as frequent living spaces such as kitchens and living rooms, therefore, officers are satisfied that the impact on the availability of light is not so detrimental to the first-floor windows that this application should be refused on this basis.
- 6.13. Although the ground floor kitchen window and door will be overshadowed by the proposed two-storey extension, officers note that a third window along the rear of the neighbouring property also serves the kitchen, allowing natural daylight/sunlight to enter freely and unobstructed despite the proposed development. This information was obtained via a site visit by the planning officer and floor plan sent across by the agent.
- 6.14. Officers are satisfied that although the proposed extension will impact the availability of natural light to enter habitable rooms of No.17, the kitchen at ground floor level benefits from another window to allow light to enter, and light to the side window on No. 17 would already be impacted by the application dwelling as existing. The proposal therefore complies with SCLP 11.2.

Parking Standards

- 6.15. The Town Council have raised concerns over the availability of off-road parking as a result of the construction of a two-storey side extension. The Suffolk Guidance for Parking states that a three-bedroom dwelling should have at least two available off-road parking spaces. The applicant intends to increase the number of bedrooms to four which also increases the recommended amount of off-road parking spaces available to three.
- 6.16. The proposed extension will reduce the availability of off-road parking to one space, with the possibility of another space being created under permitted development through hardstanding the front garden. This gives a total of two off-road spaces available following the construction of the proposed extension. Although this does not meet the parking standards, the applicant could construct a single storey side extension without the need for express planning permission under Schedule 2 Part 1 Class A of the Order which would reduce the amount of available parking space for the property without interference from the local planning authority.

6.17. SCLP 7.2 states that "the level of parking provision required will depend on the location, type and intensity of use". The town centre location of the site lessens such a need to use and accommodate vehicles as access to public transport is good and essential amenities are within walking distance. Officers are therefore satisfied that this scheme complies with SCLP 7.2.

7. Conclusion

7.1. This application complies with SCLP 7.2, 11.1 and 11.2.

8. Recommendation

8.1. Approve subject to the conditions below.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing number 64241 Rev A received on the 28.03.2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

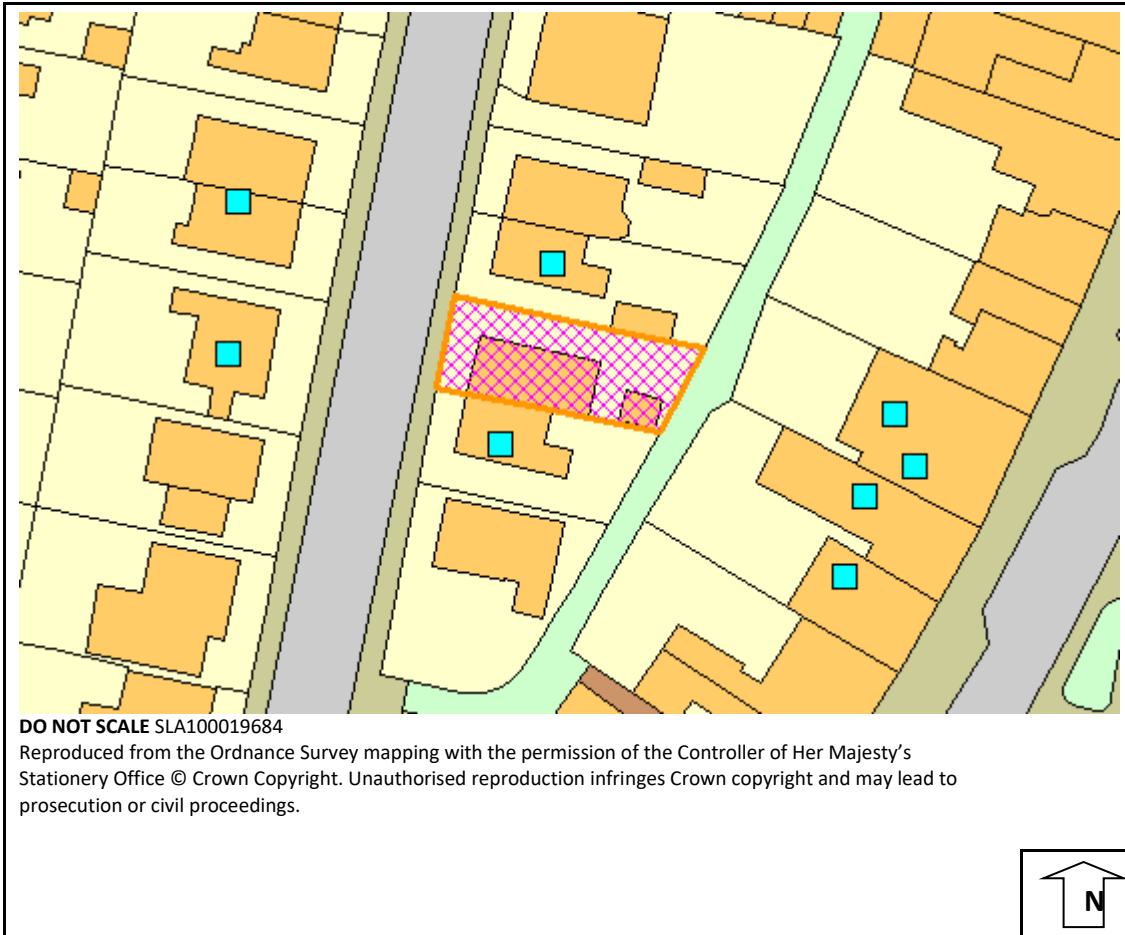
Informatives:

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

Background information

See application reference DC/23/1294/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South 25 July 2023

Application no DC/23/0517/FUL

Location

39 Simons Cross
Wickham Market
Woodbridge
Suffolk
IP13 OSX

Expiry date 6 April 2023

Application type Full Application

Applicant Mr Alex Austin

Parish Wickham Market

Proposal Erection of holiday let (revised scheme to annexe approved under DC/22/3470/FUL)

Case Officer Nick Clow
07741 307312
nick.clow@eastsoffolk.gov.uk

1. Summary

- 1.1. The application seeks full planning permission for the erection of a holiday let at 39 Simons Cross in Wickham Market.
- 1.2. The application is being presented to Planning Committee South for determination following it being heard at the Referral Panel meeting on 2nd May 2023 due to the officer 'minded to' recommendation of approval being contrary to the Parish Council's objection to the application. The Referral Panel considered that there were significant planning considerations such that the application should be determined by Committee.
- 1.3. The principle of a new unit of holiday accommodation in a permanent building on this site complies with the relevant policies of the Local Plan. It is also acceptable in terms of other

material considerations including visual amenity, residential amenity, highway safety and ecology. The application is therefore recommended for approval.

2. Site Description

- 2.1. The application site is located within the settlement boundary of Wickham Market, at the end of a cul-de-sac known as Simons Cross. The application site consists of a 3-bed semi-detached dwelling with off-road parking to the front of the property and a rear garden that extends beyond the front elevation of the property along the eastern side of the curtilage. A detached garage is also located to the north-east of the curtilage abutting the neighbouring garage of No.37 Simons Cross.
- 2.2. The surrounding area comprises dwellings of a similar size, design and scale. The application site is not located within the Wickham Market Conservation Area or Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). No Tree Preservation Orders affect the site.

3. Proposal

- 3.1. The applicants propose the erection of a holiday let in lieu of an annexe approved under DC/22/3470/FUL. The holiday let would be single storey in scale and would provide a lounge/kitchenette, bedroom, bathroom and study. It would have a flat roof and the walls would be finished in buff facing brickwork and grey cladding.

4. Consultees

Third Party Representations

- 4.1. No third-party comments have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Wickham Market Parish Council	15 February 2023	9 March 2023

Summary of comments:

Wickham Market Parish Council object to this proposal with the following additional comments. The Parish council supports condition 4 of the planning notice prohibiting the annex from being let as a separate dwelling.

The Parish Council recommend that this proposal is refused as a separate rented property because parking is restricted and unsuitable. Such a development would have a detrimental impact on the residential amenity of local properties

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	15 February 2023	17 February 2023
Summary of comments: Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 2 March 2023

Expiry date: 23 March 2023

5. Planning policy

National Planning Policy Framework 2021

SCLP3.2 – Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.4 - Tourism Development outside of the AONB (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.5 - New Tourist Accommodation (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

6. Planning Considerations

Principle of New Tourist Accommodation

- 6.1. Policy SCLP6.4 supports tourism development outside of the AONB where it:
- Enhances the long term sustainability of the area;

- b) Is well related to existing settlements;
- c) Avoids, prevents or mitigates adverse impacts on the natural environment and on local landscape character;
- d) Is of a scale that reflects the surrounding area;
- e) Is of the highest design standards;
- f) Minimises light pollution from artificial light sources and ensures the retention of dark skies; and
- g) Demonstrates sustainable aspects of the development during construction and throughout the life of the development. Renewable energy provision is strongly encouraged.

6.2. Policy SCLP6.5 supports new tourist accommodation where:

- a) The demand or need for tourist accommodation is clearly demonstrated;
- b) They are of a high standard of design;
- c) They are of a scale appropriate to the nature of the site and its setting;
- d) They do not have a material adverse impact on the AONB or its setting, Heritage Coast or estuaries;
- e) Covered cycle storage, proportionate to the size of the site is provided on site;
- f) The road network is able to accommodate the volume of traffic generated without having a significant adverse impact on the free flow of traffic and highway safety;
- g) Ancillary facilities to support the tourist uses are provided on the site where required; and
- h) Flood adaptation and mitigation measures are included where required.

6.3. In addition to the above, SCLP6.5 supports tourist accommodation comprising permanent buildings within the settlement boundaries.

6.4. The proposed holiday let in this case is considered to be well related to existing settlements, being located within the settlement boundary of Wickham Market which is classified as a 'Large Village' in the Local Plan Settlement Hierarchy (SCLP3.2). The principle of a holiday let in this location is supported by policies SCLP6.4 and SCLP6.5. The detailed considerations regarding design and impacts on the surrounding environment are set out below.

Design, Visual and Landscape Impact

6.5. The proposed holiday let is modest in scale, being a single storey structure providing a lounge/kitchenette, bedroom, bathroom and study. Although it would be positioned forward of the principal elevation of the existing dwelling, given its location in the northeast corner of the site, which itself is at the end of a cul-de-sac, views of the proposal will not be prominent in the streetscene. The existing curtilage of 39 Simons Cross is also large enough to accommodate the proposal without resulting in overdevelopment of the site. The building would have a flat roof, and flat roofs are not uncommon in the area; all of the detached garages along Simons Cross possess a flat roof. The proposal would also be finished in buff brickwork, which is present on the existing dwelling, together with grey cladding. Although cladding has not been utilised extensively in the area, it is a common material that is not so different to the character of the area that it would look incongruous within the streetscene.

6.6. The holiday let would be located within the curtilage of an existing dwelling and within a built-up residential area, and therefore will not have an adverse impact on the wider landscape, including in terms of light pollution. The proposed holiday let is of an appropriate standard of design, and of a scale appropriate to the nature of the site and its setting within

a residential area. The proposed structure will not have an adverse impact on the AONB or its setting, Heritage Coast or estuaries due to its distant proximity to these designated sites. Although there is no provision of renewable energy as part of the scheme, there is room to accommodate renewable energy apparatus either on the flat roof of the building or on the host dwelling.

Residential Amenity

- 6.7. Although the holiday let would abut the garage of No.37 Simons Cross, its modest height satisfactorily mitigates any potential adverse overbearing impact on the amenity of No.37. Due to its single storey nature and distance from both No.37 and No.41, no new lines of sight will be created by the proposed new windows and doors because they sit at ground floor level and do not allow views into the curtilages of neighbouring dwellings. Its modest height and size as well the holiday let's distant proximity from No.37 and 41 does not adversely affect the amount of sunlight/daylight entering the habitable rooms of neighbouring properties.
- 6.8. There will naturally be an element of noise generated from the use as a holiday let but officers are satisfied that the increase in noise levels will not materially affect the existing residential area or occupants of 39 Simons Close so much so that it will have an adverse impact on neighbouring amenity. The applicants have designed the floor space so that the living room abuts the existing garage which means if the garage is used by the neighbour, there would be less disturbance to the occupants of the holiday let during night time hours than if the bedroom adjoined the garage; this is welcomed by the local planning authority.
- 6.9. There will be no separation of the curtilage to accommodate the holiday let. The holiday let itself will screen the area outside the patio doors providing privacy to the occupants from any public views from the highway.

Highway Safety and Parking

- 6.10. The site is located along an adopted highway within an established residential estate, therefore the road network is able to accommodate the volume of traffic generated by the proposal without having a significant adverse impact on the free flow of traffic and highway safety. SCC Highways were consulted on the application and had no objections to the scheme.
- 6.11. Officers note the Parish Council's concerns regarding the lack of parking to satisfactorily support the proposed holiday let. Parking availability for the holiday let is no different than for the one-bed annexe approved under DC/22/3470/FUL. The Suffolk Guidance for Parking requires at least two available off-road parking spaces for a three-bed dwellinghouse. The addition of a holiday let with one bedroom requires an additional off-road parking space to comply with the Guidance. The proposal incorporates one bedroom and a small study, in this case (as a holiday let) the study is of a size suitable for a single bed, or a bunk bed, so may serve as a bedroom for children. It is however unlikely that this small holiday let would generate more than one car from its occupiers. The site has two parking spaces to the front of the dwelling and one in front of the existing detached garage, therefore allowing up to three vehicles to be parked off the road which would be in accordance with the Guidance. SCC Highways have also raised no concerns regarding the existing parking arrangements. Officers are satisfied that the parking availability is appropriate for a holiday let in this

location. The scheme also includes the provision of a secure cycle store and bin store for the occupants of the holiday let, to be located adjacent to the southeast elevation of the existing dwelling.

Other matters

- 6.12. The proposal includes ancillary facilities to support the tourist use in the form of a bathroom, lounge and kitchenette within the building together with bin and cycle storage provision as noted above.
- 6.13. There is no risk of flooding to the site, therefore officers have not required any flood mitigation measures to form part of the application.

Ecology

- 6.14. Officers note that the application is within scope of the Suffolk Coast RAMS as it falls within the 13 km 'zone of influence' for likely impacts and is a relevant residential development. A Habitats Regulations Assessment (HRA) has been completed. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination. Officers are satisfied with the payment of £322.22 as mitigation for any likely significant effect on the designated sites within East Suffolk. An informal discussion with East Suffolk's ecology team did not raise any particular issues that officers would deem materially impact any designated sites therefore, officers are satisfied that this proposed development will not result in an increase in activity likely to have a significant effect upon sites designated as being of international importance for their nature conservation interest.

7. Conclusion

- 7.1. The principle of a new unit of holiday accommodation in a permanent building on this site complies with the relevant policies of the Local Plan. It is also acceptable in terms of other material considerations including visual amenity, residential amenity, highway safety and ecology. Therefore, this application complies with SCLP 6.4, 6.5, 7.2, 10.2, 11.1 and 11.2 of the Local Plan, and is therefore acceptable so should be approved.

8. Recommendation

- 8.1. Approve subject to conditions.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing number PP001C received on the 29.06.2023, for which permission is hereby

granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)).

When the unit is in use as a 'holiday let', the duration of occupation by any one person, or persons, of the unit shall not exceed a period of 56 days in total in any one calendar year. The owners/operators of the holiday unit hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the unit during each individual letting. The said register shall be made available at all reasonable times to the Local Planning Authority.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right. This condition is imposed to ensure that the development is occupied only as bona-fide holiday accommodation in the interests of residential amenity.

5. The parking spaces in front of existing dwellinghouse and the hereby consented holiday let, shall be retained for parking purposes and be maintained for use by both the dwellinghouse and the holiday let in perpetuity.

Reason: To ensure that adequate shared parking provision is maintained for both the dwellinghouse and the holiday let in the interests of highway safety, whilst maintaining flexibility in terms of which occupants can utilise which parking space, due to the close relationship between the use of the units.

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. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

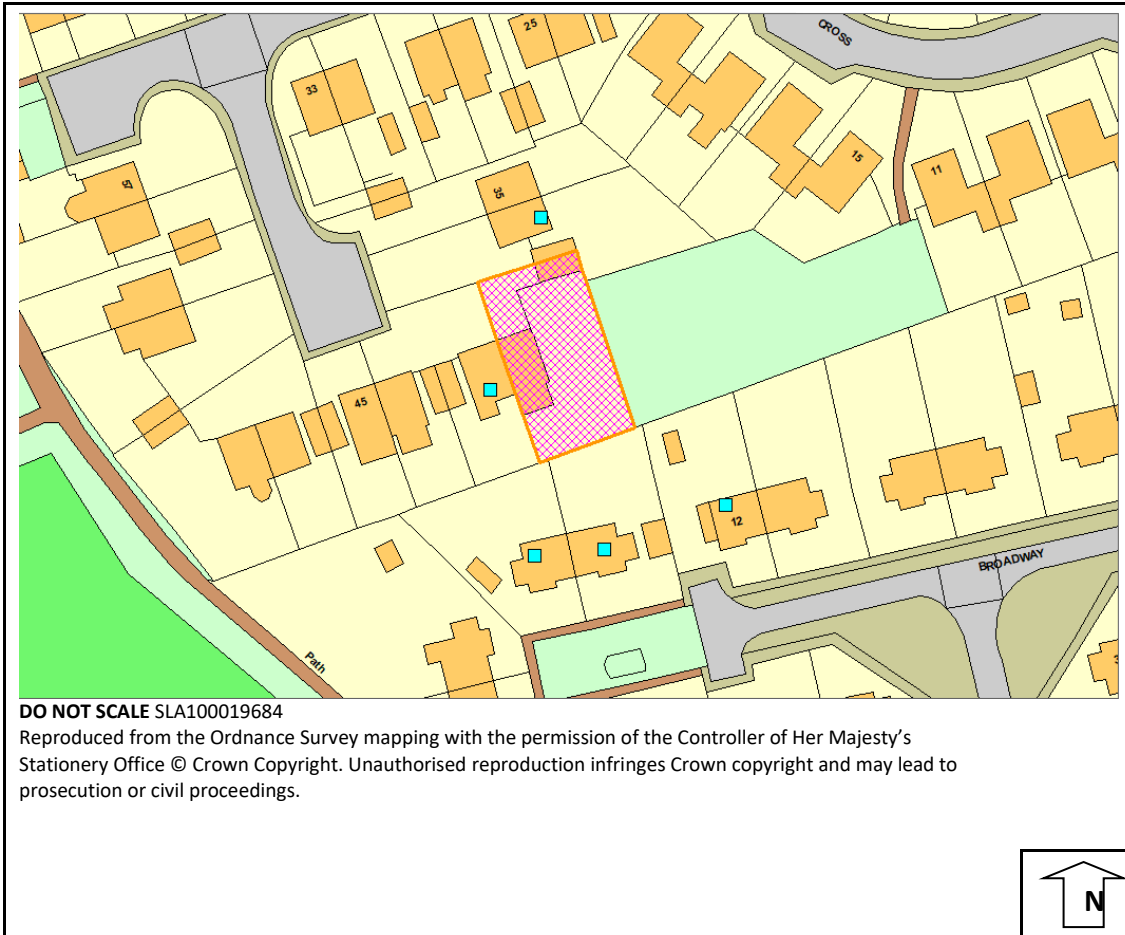
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

Background information

See application reference DC/23/0517/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 25 July 2023

Application no DC/23/0718/FUL

Location

Sports Ground Notcutts Park
Fynn Road
Woodbridge
Suffolk
IP12 4LS

Expiry date 21 April 2023
Application type Full Application
Applicant Woodbridge Town Football Club

Parish Martlesham
Proposal Utility/Storage and Lobby Extensions To Existing Clubhouse
Case Officer Nick Clow
07741 307312
nick.clow@eastsoffolk.gov.uk

1. Summary

- 1.1. This application seeks planning permission for the construction of two single storey extensions to the existing clubhouse at Notcutts Park, Fynn Road, Woodbridge.
- 1.2. The application is being presented to Planning Committee South for determination as East Suffolk Council have a leasehold on the site.
- 1.3. It is considered that the proposal complies with the relevant policies in the Local Plan, as set out below, and the application is therefore recommended for approval. Due to an error however the Town Council were not consulted when the application was registered; a consultation to the Town Council has now been sent and comments are currently awaited. As such, the recommendation is for authority to approve subject to agreement with the Chair and Vice Chair of Planning Committee South following receipt of the Town Council's comments, or following the expiry of the consultation period in the event that no comments are received.

2. Site Description

2.1. The application site is located within the settlement boundary of Woodbridge at the end of Fynn Road the south-east of the A12. The site accommodates a club house and two football pitches as well as a small carpark. The surrounding area consists of a residential estate with a variety of dwelling designs, the A12 to the north-west and south-west and Ipswich Road to the south-east. The site is not located within a conservation area or within the Suffolk Coast and Heaths AONB. No Tree Preservation Orders or previous planning application affect the site.

3. Proposal

3.1. The applicants propose the construction of two single storey extensions on the south-east and south-west elevations of the existing clubhouse.

3.2. The proposed extension on the south-east (front) elevation would have a hipped roof and measure approximately 7.67m in length, 2.4m in depth and 5.35m in height. The addition would provide a utility/storage area as an extension to the existing kitchen.

3.3. The proposed extension on the south-west (side) elevation also has a hipped roof and measures approximately 3.3m in length, 2.27m in depth and 3.7m in height. This extension would provide a lobby area.

3.4. The extensions would be finished in facing brickwork and pantiles to match the existing building.

4. Consultees

Third Party Representation

4.1. No third-party comments have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Woodbridge Town Council	11 July 2023	
Summary of comments:		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	28 February 2023	No response
Summary of comments: No comments have been received.		

Consultee	Date consulted	Date reply received
Woodbridge Town Trust	28 February 2023	No response
Summary of comments: No comments have been received.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 22 March 2023

Expiry date: 14 April 2023

5. Planning policy

National Planning Policy Framework 2021

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

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

SCLP12.33 - Land at Woodbridge Town Football Club (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning Considerations

Design and Visual Amenity

- 6.1. The proposed extensions are modest in scale, being single storey additions, and will have hipped roofs which reflect the roof form on the existing building. The materials to be used will also match the existing clubhouse, and officers are therefore satisfied that the proposed extensions are in keeping with the existing building.
- 6.2. The clubhouse is located at the end of Fynn Road, and as such is not in a particularly prominent location in the streetscene. Although the extensions will be visible, they are modest in scale and of an acceptable form and design and will not therefore harm the character or appearance of the wider area.

Residential Amenity

- 6.3. As the proposed extensions are single storey and a distant proximity from neighbouring dwellings No.14 and 21, officers are content that the proposed development will not have

an adverse overbearing impact on neighbour amenity or result in any overlooking. For the same reasons, officers are content that the extensions will not affect the availability of natural daylight/sunlight entering habitable rooms. This complies with SCLP 11.2.

Local Plan Allocation SCLP12.33

- 6.4. Policy SCLP12.33 allocates the land at Woodbridge Town Football Club for housing, but stipulates (in addition to various other criteria) that development will only be supported as part of a proposal which would establish replacement facilities for the football club. Officers acknowledge that the application site has been allocated for a potential housing development, however, this does not preclude improvements from being made to the existing clubhouse and does not affect the merits of the proposed development.

7. Conclusion

- 7.1. This application complies with the local plan policies listed above and with the relevant provisions of the NPPF and is therefore recommended for approval.

8. Recommendation

- 8.1. Authority to approve subject to agreement with the Chair and Vice Chair of Planning Committee South following receipt of the Town Council's comments, or following the expiry of the consultation period in the event that no comments are received. Approval to be subject to the conditions set out below.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing numbers 6423 1, 6423 2, received on the 24.02.2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

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. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

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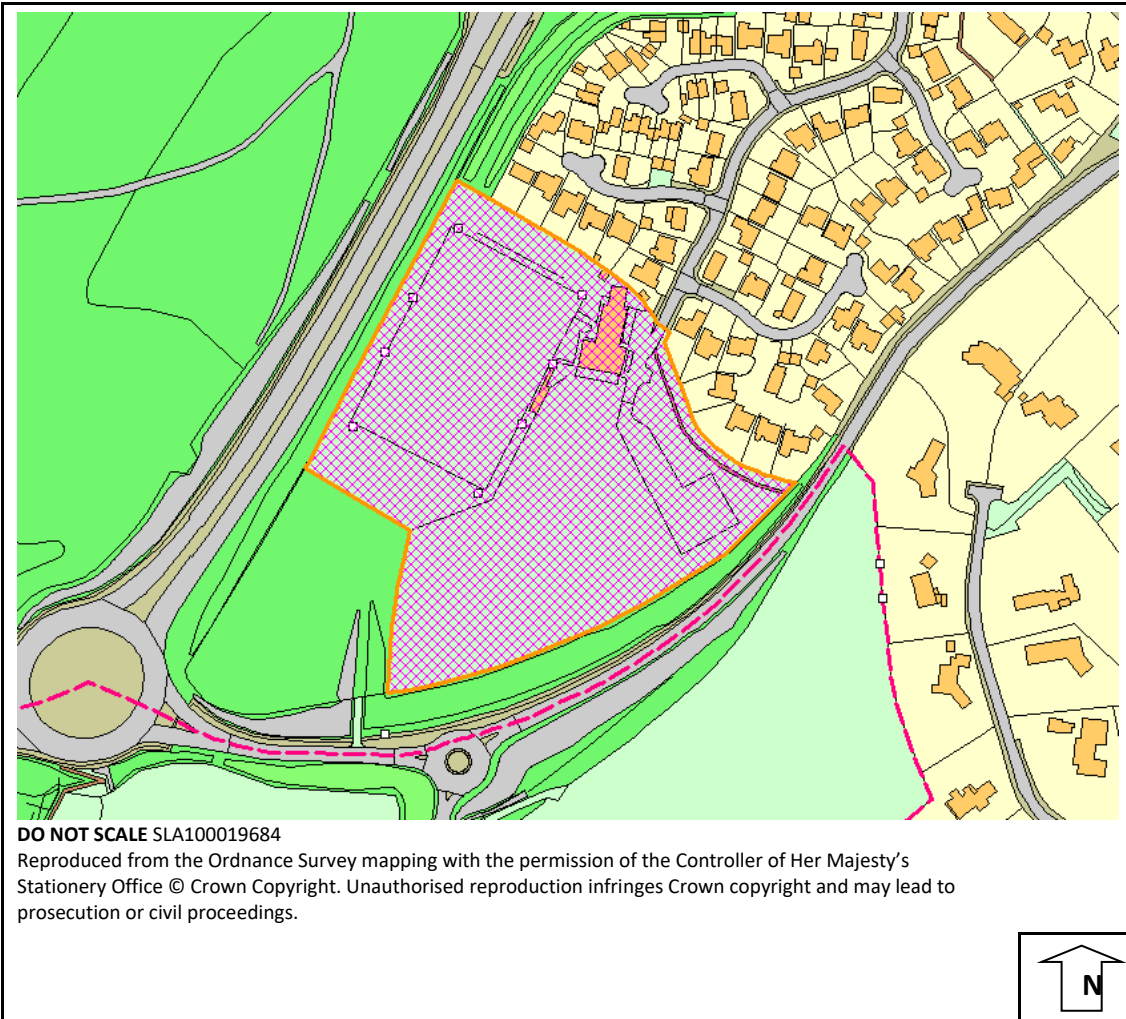
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>





Background information

See application reference DC/23/0718/FUL on [Public Access](#)

Map



Key

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