



Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 8 August 2023 at 2.00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/4271aMq-7yY?feature=share>.

Members:

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

An Agenda is set out below.

	Pages
Part One – Open to the Public	
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 11 July 2023.	1 - 12
5 East Suffolk Enforcement Action - Case Update ES/1618 Report of the Head of Planning and Coastal Management.	13 - 30
6 DC/22/2520/FUL - Pakefield Caravan Park, Arbor Lane, Lowestoft, NR33 7BE ES/1619 Report of the Head of Planning and Coastal Management.	31 - 66
7 DC/23/0701/FUL - Holly House, 80 Pier Avenue, Southwold, IP18 6BL ES/1620 Report of the Head of Planning and Coastal Management.	67 - 73

Part One – Open to the Public

Pages


- 8 DC/22/3700/FUL - The Old School, Toad Row, Henstead, Beccles, NR34 7LG ES/1621** **74 - 88**
Report of the Head of Planning and Coastal Management.

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close

A handwritten signature in black ink, appearing to read 'Chris Bally', written in a cursive style.

Chris Bally, Chief Executive

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: democraticservices@eastsoffolk.gov.uk

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.

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Lowestoft Town Council Offices, Hamilton House, Lowestoft, on **Tuesday, 11 July 2023 at 2.00pm.**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Other Members present:

Councillor Alan Green

Officers present:

Ben Bix (Democratic Services Officer (Regulatory)), Joe Blackmore (Principal Planner), Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Matt Makin (Democratic Services Officer (Regulatory)), Iain Robertson (Senior Planner), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Declarations of Interest

Councillor Ashdown declared a conflict of interest in items 7 and 8 of the agenda; he advised he would stand down from the Committee for both items to speak as the ward member for the applications and would not take part in debate or vote on either item.

3 Declarations of Lobbying and Responses to Lobbying

No declarations of lobbying were received.

4 Minutes

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

RESOLVED

That the minutes of the meeting held on 13 June 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1594** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 26 June 2023. At that time there were 17 such cases.

The Chair invited the Enforcement Planner to comment on the report. The Enforcement Planner noted that in respect of case F2 (Land at The Street, Darsham), the appeal against the injunction had been refused and the compliance date was later in July; a visit to ascertain compliance would be conducted by officers after this date.

The Chair invited questions to the officers. Councillor Gee noted the significant delay in enforcement cases being dealt with by the courts and suggested this issue should be resolved; the Enforcement Planner acknowledged the long delays and highlighted that the Planning Inspectorate had held a recent meeting about addressing delays, although this was weighted towards planning appeals and not enforcement cases. Councillor Plummer pointed out that of the seven enforcement cases in the report where an appeal had been made, five related to breaches over two years ago.

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

RESOLVED

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

6 DC/23/0038/FUL - Land Adjacent to 48 Mclean Drive, Kessingland

The Committee received report **ES/1596** of the Head of Planning and Coastal Management, which related to planning application DC/23/0038/FUL.

The application sought full planning permission for the construction of a new dwelling on land adjacent to 48 Mclean Drive, including the provision of off-street parking on land at 2 Smith Crescent.

As the case officer's "minded to" recommendation of approval was contrary to the recommendation of refusal received from Kessingland Parish Council the application was considered by the Planning Referral Panel on 9 June 2023, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution, who referred it to the Committee for determination.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown an aerial image of the area. The Senior Planner noted the two parcels of land for the dwelling and parking respectively.

The Committee was apprised of the planning history on the site; five applications had been made with all refused planning permission.

The Committee was shown photographs demonstrating views into the site and its relationship with surrounding dwellings. The Senior Planner said that the site contributed to the character of the area to some degree but was not protected from development.

The Senior Planner summarised the five previous applications on the site and their reasons for refusal, highlighting that two of the refusals had been appealed and these appeals dismissed by the Planning Inspectorate, as detailed in the report.

The Senior Planner outlined the parking space's relationship with the dwelling site.

The proposed layout for the site was displayed and the Senior Planner noted the amendments made on the southern boundary in response to comments on residential amenity; it was proposed to remove permitted development rights via condition to avoid a high boundary being put on the southern boundary and to encourage landscaping.

The proposed elevations were displayed and the Senior Planner considered the design to be an enhancement on the 1980s style bungalows in the area.

The parking plan was displayed; officers noted that the Highways Authority had not objected to the parking arrangements. The Committee was shown photographs demonstrating views of the proposed parking space, its relationship to the dwelling site, and other allocated parking in the area. The Senior Planner confirmed that the distance between the dwelling and the parking site would be 45 metres, which although not ideal was characteristic for the area. The Senior Planner displayed aerial images of similar parking arrangements near the site.

The material planning considerations and key issues were summarised as the principle of development, design, the character and appearance of the area, neighbour amenity, and parking/highway safety.

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

The Chair invited questions to the officers. Councillor Ashdown queried how it could be guaranteed that the occupant of the dwelling would use the allocated off-street parking. The Senior Planner advised that this would be controlled by condition and the Planning Manager (Development Management, Major Sites and Infrastructure) added that it would be in the occupier's interest to maintain the space for their own use and any sub-letting of the space could be dealt with via a breach of condition notice.

Councillor Hammond asked if officers were confident that adequate measures would be taken to effectively deal with surface water drainage. The Senior Planner advised that surface water drainage details would need to be submitted for approval as part of the discharge of conditions. The Planning Manager noted that in terms of the wider effects from minor developments, there was little ability at the planning stage to

influence the capacity of sewer networks and attenuation; any developer would be required to pay to connect to the foul water drainage network and it was Anglian Water's responsibility to ensure there is capacity.

In response to a question from Councillor Pitchers about the installation of an electric vehicle (EV) charging point at the parking space, the Senior Planner said that Building Control had advised that the developer would need to ensure a power supply to the site; the Planning Manager considered this could be achieved through an underground wire and would be a challenge for the developer to overcome. Councillor Ewart asked how any such works would be made good and officers advised this would be controlled by a Construction Management Plan and the Highways Authority would have responsibility to ensure that any dug-out sections are made good at the conclusion of the work.

Councillor Gee sought clarification on how the EV charging point's use would be restricted to the occupier only. The Planning Manager believed that there are various security arrangements for EV charging points to secure them; the Chair reminded the Committee that this was not a material planning consideration and would be an issue for the developer and/or the occupier to resolve.

The Chair invited Ms Truman, who objected to the application, to address the Committee. Ms Truman stated that her home neighboured the application site; she pointed out that previous applications on the site had been refused as parking was segregated from the site and highlighted that the current application proposed the same solution, querying how this could be deemed acceptable.

Ms Truman set out the issues that would be caused for neighbours should the application be approved, which centred around the predicted negative impact to on-street parking in the area and residential amenity. Ms Truman also queried how a 1.8 metre wall on the southern boundary was acceptable when she and other residents were not allowed to erect any boundary higher than one metre.

Ms Truman detailed the concerns of neighbours opposite the southern boundary whose amenity would be impacted if such a wall was built, likening it to living in a prison. Ms Truman considered the harm that would be caused by the development outweighed any benefits it would bring.

There being no questions to Ms Truman the Chair invited Councillor Graham, Chairman of Kessingland Parish Council, to address the Committee. Councillor Graham advised that the Parish Council had objected to the application from the start and considered it represented poor quality design, contrary to policies WLP8.29 and H2 of the Waveney Local Plan and Kessingland Neighbourhood Plan respectively.

Councillor Graham considered that the development would remove much needed on-street parking in the area and queried comments that Kessingland was well served by public transport; he highlighted that a bus service only ran between 9am and 5pm and that the claim of being able to get to the rail station in five minutes was inaccurate.

Councillor Graham said that the design did not reflect existing bungalows in the area and the development was being crammed in; he stated that the current application

was no better than the previous ones refused on the site. Councillor Graham explained that the Parish Council was open to development in principle but was opposed to this application.

Councillor Graham quoted the decision notice from the second dismissed appeal, regarding the loss of parking spaces having a negative impact on the highway to the detriment of highway user safety.

There being no questions to Councillor Graham the Chair invited Mr Bennett, the applicant's agent, to address the Committee. Mr Bennett said it was acknowledged that more housing was needed across the country and this type of development was a suitable way to achieve this goal. Mr Bennett highlighted that at one of the dismissed appeals the Inspector had stated no problem with the design of the dwelling and that the issue was the proposed parking arrangements.

Mr Bennett said that the off-street parking proposed matched what 70% of existing dwellings in the area benefitted from. Mr Bennett considered that a lockable post could be used to secure the space for the occupier. Mr Bennett was of the view that the applicant had attempted to acknowledge the concerns of neighbours, having made amendments to the southern boundary and fenestration on the southern elevation in response to concerns raised.

Mr Bennett concluded that the applicant had attempted to make an interesting building that fitted in to its surroundings; he pointed out that photovoltaic panels were proposed and rainwater harvesting was being considered.

The Chair invited questions to Mr Bennett. Councillor Hammond referred to Ms Truman's comments about the wall on the southern boundary and asked Mr Bennett for his thoughts. Mr Bennett explained that amendments had been made to remove a section of the wall on the southern boundary to increase the openness and reduce the impact on neighbour amenity.

The Chair invited Councillor Green, the ward member for Kessingland, to address the Committee. Councillor Green referred to the five applications previously refused, along with the two dismissed appeals, and considered there was very little difference in the current application to warrant approval.

Councillor Green was of the view that the development would overshadow and intrude onto neighbouring properties and represented poor design against policy, as quoted by Kessingland Parish Council. Councillor Green was concerned about the distance to the off-street parking and said that the photographs in the officer's presentation did not provide an accurate reflection of the parking issues in the area.

Councillor Green said there was and would be difficult access to the site due to the significant on-street parking and was concerned about the movement of construction traffic and its impact on highway users, as well as refuse vehicles once the development was completed.

Councillor Green disputed the comments in the Design & Access Statement about public transport links, considering it to be limited in Kessingland. Councillor Green concluded that the site was unsuitable for the proposed development.

There being no questions to Councillor Green, the Chair invited the Committee to debate the application before it. Several members of the Committee spoke against the application, noting concerns about occupiers parking on the street and not in the allocated space and highlighting that the development would exacerbate an existing parking issue in the area.

The Chair invited the Planning Manager to comment on points raised during debate regarding parking. The Committee was advised that the Highways Authority was a statutory consultee for all planning applications and provided advice in respect of parking and highway safety; having originally objected to the application the Highway Authority's final position was one of recommending approval subject to conditions, including one regarding the allocation of the parking space. The Planning Manager acknowledged the concerns raised during the debate and advised that should the Committee resolve to refuse the application on parking grounds it needed to form a robust reason for going against the advice of the Highways Authority.

Councillor Gee considered very little had changed in the new application when compared to the refused ones and suggested they did not go far enough. Councillor Gee was of the view that the proposed design did not harmonise with the existing area and could foresee immense problems if it was approved; she cited concerns relating to loss of amenity and said that there was no argument for it as the parking arrangements had not been improved. Councillor Gee said she was minded to not approve the application.

Councillor Hammond spoke in favour of the application; he acknowledged it was not an ideal development but noted that more housing was needed and could not see material planning reasons to refuse the application.

Councillor Ewart was pleased there was robust debate as that had been the Planning Referral Panel's intention when referring the application to the Committee. Councillor Ewart found the orientation of the development challenging and considered the application was a difficult one to decide on.

Councillor Pitchers suggested that the application could be refused due to its negative impact on the streetscene; Councillor Ashton was minded to vote against the application but was concerned that the Council could end up in a position where the application was approved on appeal.

Councillor Pitchers proposed that the application be refused, seconded by Councillor Gee. The Planning Manager advised that a robust reason for refusal needed to be formulated and sought further information from Councillor Pitchers; he was minded to refuse the application due to its impact on the streetscene, parking and loss of green space.

The Planning Manager noted the previous reason for refusal was due to the poor layout and design quality contrary to policy WLP8.29 of the Waveney Local Plan and

policy H2 of the Kessingland Neighbourhood Plan. The Principal Planner added that H2 provided further detail not contained in WLP8.29 and highlighted that inspectors had not previously critiqued design, orientation or loss of open space; he advised the Committee that, based on the flavour of the debate, it could consider refusing the application in respect of layout and impact on the area.

Councillor Hammond contended that the design was a subjective matter and that the Committee had been advised what proposed had been designed to minimise massing and overlook, considering it to be a reasonable attempt to minimise harm. Councillor Ewart was of the view that the orientation of the dwelling was poor and would impact negatively on residential amenity.

Following advice from the Democratic Services Officer, the Chair confirmed with Councillors Pitchers and Gee that the recommendation they had proposed and seconded was to refuse the application on the grounds that it was contrary to policies WLP8.29 of the Waveney Local Plan and H2 of the Kessingland Neighbourhood Plan, regarding the site layout and poorly functioning detached parking arrangement. Both councillors confirmed this was correct.

There being no further debate the proposal to refuse the application was put a vote and it was by a majority

RESOLVED

That the application be **REFUSED** on the grounds that it is contrary to policies WLP8.29 of the Waveney Local Plan and H2 of the Kessingland Neighbourhood Plan, regarding the site layout and poorly functioning detached parking arrangement.

7 DC/23/1488/FUL - Wilmar, Market Lane, Blundeston, NR32 5AW

NOTE: Councillor Ashdown retired to the public gallery for both this and the next item to speak as the ward member on both applications; he did not take part in debate or vote on either item.

The Committee received report **ES/1597** of the Head of Planning and Coastal Management, which related to planning application DC/23/1488/FUL.

The application sought full planning permission for the installation of a first-floor glass balustrade to the front elevation of Wilmar, Market Lane, to allow use of part of the front flat roof element of the dwelling as a balcony.

The former Chair of the Committee, Councillor Ashdown, had requested in May 2023 (prior to the local elections) that the application be referred to the Committee for determination, in accordance with powers set out in the scheme of delegation in the East Suffolk Council Constitution, due to the impacts arising from the proposal and the public interest in the site.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The Chair announced that the presentation would cover both this application and the related application DC/23/1487/FUL, which was for a

different aspect of the same property and scheduled to be considered at item 8 of the agenda; the Committee was advised that following the presentation there would be questions, public speaking, debate and determination of the first application, before repeating the process for the second application.

The site's location was outlined and the Committee was shown an aerial image of the application site. The Committee also received photographs demonstrating views look north into the site, the rear of the host dwelling from the garden, views of the proposed extension area looking both east and west, and looking out from the flat roof element that would host the balcony.

The Senior Planner displayed the existing and proposed floorplans; he highlighted on the latter where the frosted glass balustrade was proposed to be installed. The Committee was shown the existing and proposed elevations and the Senior Planner noted that views towards neighbouring amenity space to the east would be protected by the host dwelling.

The material planning considerations and key issues were summarised as design and amenity.

There being no questions to the officers the Chair invited Councillor Harris, representing Blundeston and Flixton Parish Council, to address the Committee. Councillor Harris confirmed that the Parish Council formally objected to the application; he noted a similar scheme including an external staircase had been refused in 2021 as it would have been detrimental to the street scene.

Councillor Harris appreciated that the staircase element had been removed but considered the proposed height of the balustrade would not prevent overlooking into neighbouring amenity areas, which he said was a concern as the balcony would be used for leisure purposes.

Councillor Harris was of the view that the proposed balcony would have an adverse impact on the streetscene, not fitting in with its rural nature. Councillor Harris urged the Committee to refuse the application, considering not enough had changed from the previous application to warrant approval. Councillor Harris noted that the property was for sale on the open market, with neither planning application mentioned in the particulars.

There being no questions to Councillor Harris the Chair invited Councillor Ashdown, ward member for Blundeston, to address the Committee. Councillor Ashdown outlined the planning history of the property and noted that he stood down from the Committee at the meeting where the original application was considered to speak against it as the ward member; he considered the whole development was out of character for Blundeston and elements of what had been constructed was not what had been approved.

Councillor Ashdown highlighted the previous application that had been refused and was of the view that the planning process had been abused since the inception of this property, stating that hedgerow had been removed immediately after approval and replaced with fencing, resulting in a loss of habitat.

Councillor Ashdown said that the development was referred to as a "carbuncle" in Blundeston and that he had taken the former Leader of the Council and Chief Executive to visit the site in the past, both of whom had expressed surprise that the development had been permitted. Councillor Ashdown considered that the addition of a balcony would make the situation worse, despite the amendment to make the glass balustrade opaque. Councillor Ashdown stated that a curtilage four times the size was needed for the property and urged the Committee to refuse the application.

The Chair invited questions to Councillor Ashdown. Councillor Hammond noted that the existing development was not a material planning consideration and asked Councillor Ashdown if he considered there were grounds to refuse planning permission for what was being applied for; Councillor Ashdown was of the opinion that the application could be refused on the grounds that it would create overlooking into neighbouring amenity areas, given the close proximity to the boundaries.

NOTE: Councillor Ashdown left the meeting room before debate commenced.

The Chair invited the Planning Manager (Development Management, Major Sites and Infrastructure) to address the Committee prior to entering debate. The Planning Manager advised that the application being considered was a householder one and whilst he expressed sympathy with the points made by Councillor Ashdown, the host dwelling had already been consented and constructed. The Committee was advised to limit its considerations to what has been applied for.

The Chair invited the Committee to debate the application that was before it. Councillor Pitchers said he did not object to a balcony with a balustrade but queried if the latter was high enough to prevent overlooking. The Planning Manager stated that the proposed height of 1.7 metres was an established practice to prevent overlooking and considered that a balustrade at such a height would prevent persons from being able to see clearly over it.

Councillor Ashton considered that the proposals would not cause any demonstrable harm and could not see any material planning reasons to refuse the application.

Councillor Ewart queried if a balcony such as the one proposed would be expected in the streetscene; Councillor Plummer contended that the changes to create the balcony were minimal. The Senior Planner advised that a balcony in the proposed location could be expected as part of the existing design.

In response to concerns raised during the debate regarding overlooking, the Senior Planner considered that overlooking would be very limited unless a person went to great lengths to do so.

There being no further debate the Chair sought a proposer and seconder for the recommendation to approve the application set out in the report. On the proposition of Councillor Pitchers, seconded by Councillor Ashton 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 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 RS/4878/23/04 Rev B received 10/07/2023, and RS/4878/23/03 received 12/04/2023, and 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. Prior to the first use of the balcony as shown demarcated by 'proposed glass balustrade' on drawing RS/4878/23/04 REV B, hereby permitted, the 1.3m high balustrades (1.7m as measured from roof/floor level), shall be installed on the north(rear) and west (side) elevations in the areas shown on approved drawing RS/4878/23/04 REV B. These high level balustrades/screens shall be obscure glazed to minimum of level 3, and shall thereafter be retained in the approved form and location along the north (rear) and west (side) elevations of the approved balcony area.

For the avoidance of doubt, this permission does not permit the use of the flat roof area to the north of the demarcated by proposed glass balustrade' on drawing RS/4878/23/04 REV B, as a balcony.

Reason: To protect the amenity of neighbouring residents.

8 DC/23/1487/FUL - Wilmar, Market Lane, Blundeston, NR32 5AW

NOTE: Councillor Ashdown re-entered the meeting room and returned to the public gallery following the conclusion of the previous item.

The Committee received report **ES/1598** of the Head of Planning and Coastal Management, which related to planning application DC/23/1487/FUL.

The application sought full planning permission for the construction of a single storey rear extension at Wilmar, Market Lane.

The former Chair of the Committee, Councillor Ashdown, had requested in May 2023 (prior to the local elections) that the application be referred to the Committee for determination, in accordance with powers set out in the scheme of delegation contained in the East Suffolk Council Constitution, due to the impacts arising from the proposal and the public interest in the site.

The Committee received a presentation on the application from the Senior Planner, who was the case officer for the application. The presentation covered both this

application and the related application DC/23/1488/FUL received under item 7 of the agenda; this presentation is set out in detail in item 7 of these minutes.

The recommendation to approve the application, as set out in the report, was outlined to the Committee and the Chair invited questions to the officers. The Senior Planner confirmed that the applicant had not intimated that the roof of the extension would be used as an outside space; the Committee was advised this would require the creation of a raised platform, which would need planning permission.

In response to a query from Councillor Pitchers the Principal Planner advised that the extension would equate to an approximate 5% increase in the building's footprint. The Principal Planner highlighted that the increase in footprint needed to be assessed in relation to the size of the plot and that officers considered that, given the large garden space to the rear of the property, the extension could be accommodated.

Councillor Pitchers asked if the Juliet balcony opening above the extension could be used to access the roof. Officers advised that in theory it could be but that this access would be difficult and impractical.

The Chair invited Councillor Harris, representing Blundeston and Flixton Parish Council, to address the Committee. Councillor Harris referred to the report and said that the Parish Council disputed the notion that the extension would complement the existing area; he noted that the whole development did not complement its surroundings and the extension would make this more apparent and was overdevelopment of the site.

Councillor Harris noted that permitted development rights on the site had been removed to secure properly planned development. Councillor Harris said he failed to see what had changed to warrant the approval of the extension.

There being no questions to Councillor Harris the Chair invited Councillor Ashdown, the ward member for Blundeston, to address the Committee. Councillor Ashdown supported the position and comments of Blundeston and Flixton Parish Council and noted that the asking price of the property on the open market would not be affected by any refusal of planning permission, as the pending applications had not been included in the particulars.

Councillor Ashdown highlighted that the only other building of comparable size in Blundeston was set within a bigger curtilage whereas the host dwelling was in the middle of a street, highly visible and detracted from the streetscene.

The Chair invited questions to Councillor Ashdown. In response to Councillor Pitchers, Councillor Ashdown acknowledged that the value of the building was not a material planning consideration.

NOTE: Councillor Ashdown left the meeting room before debate commenced.

The Chair invited the Committee to debate the application that was before it. Councillor Pitchers considered that the rear garden could accommodate the extension and saw no grounds to refuse the application.

Councillor Ewart sought clarity on the gap between the extension and the boundary; this was displayed on the screen by the Senior Planner, who in response to a question from Councillor Plummer confirmed that the building and the extension would run parallel to the existing boundary fence so the gap would remain unchanged.

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 Hammond, seconded by Councillor Ewart, it was by a majority vote

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with RS/4878/23/01 and RS/4878/23/02 received 12/04/2023, 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.

The meeting concluded at 3.50pm.

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Chair



Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

8 August 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 13 July 2023. At present there are 19 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. *5 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. *2 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 13 July 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/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
<u>Nature of Breach:</u> Change of use of cartlodge to a shop.	
<u>Summary timeline of actions on case</u>	
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	
<u>Current Status/Position</u>	
In compliance period.	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.2

LPA Enforcement Case Reference	ENF/21/0510/DEV
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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.3

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. 05/07/2023 - appeal against refusal of planning application refused.	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.4

LPA Enforcement Case Reference	ENF/21/0460/DEV
Location / Address	21 Mill View Close, Woodbridge
North or South Area	South
Date of Report of Breach	13.10.2021
Nature of Breach: Erection of large fence	
Summary timeline of actions on case 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023	

<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	06/11/2023

A.5

LPA Enforcement Case Reference	ENF/23/0073/DEV
Location / Address	15 Worell Drive, Worlingham
North or South Area	North
Date of Report of Breach	06.03.2013
<u>Nature of Breach:</u> Erection of a fence over 1m adjacent to a highway	
<u>Summary timeline of actions on case</u> 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	06/10/2023

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	
<p>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.</p> <p>07/12/2021 - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645</p> <p>21/01/2022 - Statements submitted to Planning Inspectorate by 21/01/2022.</p> <p>01/02/2022 - final comments date for comments on Appeal</p> <p>28/06/2023 – Site visit for appeal 3rd August 2023</p>	
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	
<p>17/03/2022 - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance.</p> <p>19/04/2022 - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116</p>	

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. 28/06/2023 – Site visit for appeal 3 rd August 2023	
<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

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
<u>Nature of Breach:</u> 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.	
<u>Summary timeline of actions on case</u> 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	
<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.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
<u>Nature of Breach:</u> Artificial hedge, support structure and fencing which is over 2m in height	
<u>Summary timeline of actions on case</u> 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	
<u>Current Status/Position</u> Awaiting start date from Planning Inspectorate.	

Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision
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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 28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance 09/01/2023 – Pre-start letter from Planning Inspectorate 31/01/2023 –Start letter received from Planning Inspectorate, statements required by 14 th March 2023.	
Current Status/Position Awaiting 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

D.2

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)	Depending on legal process.

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
Nature of Breach: 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.	
<p>Summary timeline of actions on case</p> <p>02/05/2019 - Temporary Stop Notice Served and ceased 30/05/2019</p> <p>24/05/2019 - Enforcement Notice served, came into effect on 28/06/2019</p> <p>25/05/2019 - Stop Notice Served comes into effect 28/05/2019.</p> <p>08/06/2020 – Appeal process started. Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</p> <p>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.</p> <p>18/05/2021 - Appeal dismissed and partial costs to the Council</p> <p>18/08/2021 - Compliance with Notice required</p> <p>31/10/2021 - Extension of time granted for compliance until 31/10/21.</p> <p>15/11/2021 - Further extension of time granted for compliance until 15/11/2021.</p> <p>18/11/2021 - Site visited, no works undertaken, case to be referred to legal department for further action to be considered.</p> <p>20/12/2021 - Certificate of Lawful Use (Proposed) application submitted (reference DC/21/5671/CLP)</p> <p>12/04/2022 - Certificate of Lawful Use (proposed) refused.</p> <p>25/05/2022 - Appeal in relation to Certificate of Lawful Use (proposed) refusal started. Hearing process. PINS Reference APP/X3540/X/22/3299754</p> <p>08/07/2022 – Appeal statement submitted</p> <p>29/07/2022 – Final date for comments on statements</p> <p>11/01/2023 – Council applied to the High Court for an Injunction.</p> <p>30/01/2023 – Case adjourned for legal reasons, awaiting new court date</p> <p>03/02/2023 – High Court date for an Injunction hearing 18th & 19th May 2023</p> <p>22/02/2023 – Hearing on appeal for refused certificate of lawful development set for 12th July 2023.</p> <p>18/05/2023 – Injunction sought from High Court in relation to non-compliance with EN, Injunction granted – 90 days to undertake the works.</p>	
Current Status/Position	

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</p> <p>08/02/2010 - Appeal received</p> <p>10/11/2010 - Appeal dismissed</p> <p>25/06/2013 - Three Planning applications received</p> <p>06/11/2013 – The three applications refused at Planning Committee.</p> <p>13/12/2013 - Appeal Lodged</p> <p>21/03/2014 – Enforcement Notices served and became effective on 24/04/2014</p> <p>04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing</p> <p>31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</p> <p>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.</p> <p>10/11/2015 – Informal hearing held</p> <p>01/03/2016 – Planning Appeal dismissed</p> <p>04/08/2016 – Site re-visited three of four Notices have not been complied with.</p> <p>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.</p> <p>19/06/2017 – Site re-visited, no compliance with the Enforcement Notice.</p> <p>14/11/2017 – Full Injunction granted for the removal of the mobile home and steps.</p> <p>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.</p> <p>27/06/2018 – Compliance visit conducted to check on whether the 2010.</p> <p>06/07/2018 – Legal advice sought.</p> <p>10/09/2018 – Site revisited to check for compliance with Notices.</p> <p>11/09/2018 – Case referred back to Legal Department for further action to be considered.</p>	

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

F.2

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

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p>	
<p><u>Current Status/Position</u> In compliance period of High Court Injunction.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</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
<u>Nature of Breach:</u> Untidy site	
<u>Summary timeline of actions on case</u>	
<p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p>	

10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.

Current Status/Position

In compliance period

Date by which Compliance expected (or prosecution date)	Depending on legal action
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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 North – 8 August 2023

Application no DC/22/2520/FUL

Location

Pakefield Caravan Park

Arbor Lane

Lowestoft

Suffolk

NR33 7BE

Expiry date 22 September 2022

Application type Full Application

Applicant Park Holidays UK Ltd

Parish Lowestoft

Proposal Extension of Pakefield Holiday Park to provide for the following development on land to the west of the park:

1. A new and improved access and main site entrance off the A12
2. New entrance buildings and clubhouse facility
3. The siting of additional static holiday caravans, involving the rollback of existing static caravans away from the coast
4. Environmental improvements and landscaping throughout

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for an extension to the Pakefield Caravan Park, to include a new access onto the A12, a new entrance and clubhouse building, the siting of 86 units on the site, and environmental improvements and landscaping.
- 1.2. The proposed new access from the A12 is deemed safe by officers in consultation with Suffolk County Council Highways Authority, and it would also provide a benefit by removing a significant number of vehicle movements from the existing site entrance. Furthermore, the proposed development is not considered to result in any significant adverse impacts upon the character and appearance of the countryside. The development would not result in the coalescence of Kessingland and Lowestoft.
- 1.3. An acoustic report has been submitted which identifies that the impact from noise on nearby receptors would be to an acceptable level, and the development would not result in long term amenity impacts upon the living conditions of neighbouring residents.
- 1.4. The impact on protected species can be appropriately mitigated, and the proposal would provide environmental benefits along the southern boundary, with additional planting around the site. The proposed development would also provide electric vehicle charging points, cycle storage, and solar panels on the clubhouse.
- 1.5. A draft Habitat Regulation Assessment (HRA) has been undertaken, and is currently being reviewed by Natural England, the outcome of which will be presented to members in the update report.
- 1.6. There would be an economic benefit arising to the local area due to increased spending from users of the additional accommodation and improved facilities, as well as securing the long term future of Pakefield Caravan Park and its ability to adapt to the challenges of coastal erosion.
- 1.7. The application is therefore deemed to accord with the Waveney Local Plan and the NPPF, and as such the application is recommended for approval.
- 1.8. Authority is sought to Approve, subject to conditions; and subject to officers undertaking an Appropriate Assessment, and concluding that the scheme will not have likely significant effects on European (Habitats) Sites, following the consideration of any comments received from Natural England.

2. Site Description

- 2.1. Pakefield Holiday Park (“The Park”) is an established static holiday caravan park located to the southeast of Pakefield, and occupies a coastal location with direct access to the beach over an area of approximately 8.6 hectares (21.3 acres).
- 2.2. The park has planning permission for a total of 391 static holiday caravans and is effectively split either side of Arbor Lane, with each side of the park operating by virtue of separate planning permissions.

- 2.3. The northern element of the site (previously known as “The Bushes Site”), accommodates 119 static caravans and has recently been granted 12 month holiday season on appeal in 2022.
- 2.4. The southern element (formerly known as “Cresta” and “Clifftop” sites) accommodates 231 caravans, and benefits from an unrestricted static holiday caravan permission with no defined holiday season under reference W8089/12. A small section of this area to the west has recently been granted the exchange of touring to static caravan pitches.
- 2.5. The application site, edged red on the submitted Location Plan, covers an area of approximately 4.2 hectares (10.4 acres). The established use of the land is agricultural; however, the site is not currently in active farming use. The extension land is low lying and is bordered to the north by existing residential development along Jubilee Road, to the east by Pakefield Caravan Park and to the south by agricultural/open land. The western boundary of this land has a direct vehicular access point onto the A12.
- 2.6. The western section of the application site contains several agricultural buildings, associated infrastructure and hardstanding areas with the eastern section being agricultural land with a pond/tree planting on the south-eastern section.

3. Proposal

- 3.1. Planning permission is sought for an extension of Pakefield Holiday Park onto land to the southwest of the existing site, currently in use as agricultural land. The expansion will accommodate the following:
 - i. A new and improved access/main site entrance off the A12, and restrictions to existing access off Arbor Lane;
 - ii. New central facilities complex, including
 - a) Bar and restaurant
 - b) Swimming pool
 - c) Changing facilities
 - d) Kitchen facilities
 - e) Reception
 - f) Office space (including sales office)
 - g) Plant rooms
 - h) Outside seating and terrace
 - i) Bathroom facilities
 - j) Three accessible parking bays and 24 standard bays
 - k) Service area and loading bay
 - iii. The siting of 86 static holiday caravans which will include a mixture of single, twin, and larger twin units.
 - iv. Environmental improvements, landscaping, and attention ponds
 - v. Vehicle and pedestrian access to existing site
- 3.2. During the course of the application, additional reports and amended drawings have been received. The amendment drawings have resulted in minor changes to the site entrance to overcome initial concerns raised by the Highways Authority. These amended plans have been subject of further public consultation.

4. Consultations

Third Party Representations

- 4.1. Twenty-four Representations of support have been received, raising the following key points:
- Economic benefits
 - Decreased traffic in local road due to new access and improved safety
 - Improvement to amenity
 - Proposed land not currently in use
- 4.2. Three Representations have been received that neither support nor object, but raise the following key points:
- No impact from additional facilities
 - Relocation of signage to ensure new entrance is used
 - Decreased traffic on minor local roads
 - Access should be provided for local residents to facilities
 - Existing strip of public grass on cliff be kept public
 - Density and arrangement need to be considered
 - Landscaping
- 4.3. Sixty Representations of objection have been received, raising the following key points:
- Land should be retained for agriculture
 - Existing development forms the edge of Pakefield and this development would expand into the countryside
 - Impact of new access on safety along the A12
 - Impact on existing amenity from increased noise levels
 - Impact on biodiversity
 - Impact on amenity from increased activity
 - Better alternative uses for the site
 - Impact on local services and infrastructure from increased visitors
 - Fire hazard
 - Light pollution
 - Previous refusals on the site
 - Impact of development on the ditch along the north boundary
 - Impact from construction noise and activity
 - Boundary concerns
 - Increased number using inadequate existing access arrangements
 - Increased air pollution and impact on health
 - Overlooking and privacy concerns
 - Impact on character and appearance of the area
 - Loss of view
 - Security and anti-social behaviour
 - Poor design
 - Security concerns due to lack of boundary treatment along north boundary
 - Impact on light
 - Increased risk of flooding
 - Increased traffic

- Removal of green space
- Overdevelopment
- Development on Green Belt

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	20 July 2022	3 August 2022
<p>Summary of comments: Lowestoft Town Council has considered this application and agreed to recommend refusal of the application as presented. The application represents a large scale over development of an area which will impact the local amenity both in terms of noise and intrusion of privacy as well as disturbing and harming habitats/wildlife. The new access road will be straight from the A12/A47 and it is essential that comments are sought from Suffolk Highways and National Highways.</p>		

Consultee	Date consulted	Date reply received
Gisleham Parish Council	21 July 2022	31 July 2022
<p>Summary of comments: Councillors considered this Application at their meeting on 27th July. They were concerned that this site is an inappropriate location for a holiday park, being very closely adjacent to residential properties, particularly in Jubilee Road. There was also concern about the apparent lack of a landscaped / buffer zone along this boundary which could adversely affect those properties, particularly potential noise from the clubhouse and adjoining facility buildings. Councillors were also concerned about the new access to the A12, the section of which is currently the subject of local concern. Questions were raised about the size, location and visibility splays of the new entrance, whether the width is sufficient to allow for larger vehicles, particularly those delivering or removing static caravans and what provision will be available, on site, to allow vehicles to pull off the main road and avoid congestion on the A12. Will there be any restrictions to avoid crossing the A12 to either enter, or leave, the site?</p> <p>Given these concerns, Councillors recommend this Application be REFUSED</p>		

Re-consultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 November 2022	23 December 2022
<p>Summary of comments: Holding objection until the information has been submitted: - Access details for queuing traffic - Access crossover, crossing the cycle path.</p>		

(officer note: holding objection removed by comments received 20 February 2023; see response below).

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 February 2023	1 March 2023
Summary of comments: Following the submission of further information, no objections raised.		

Consultee	Date consulted	Date reply received
SCC Highways Department	17 February 2023	20 February 2023
Summary of comments: No objections subject to conditions "With the revised technical note and plans, my concerns have been addressed."		

Consultation Comments

Consultee	Date consulted	Date reply received
SCC Highways Department	20 July 2022	23 September 2022
Summary of comments: Recommend a holding objection until the following information has been submitted: - More detail on Access from A12 or all user types. - Lack of sustainable links to wider network. - More detail on existing access and it's downgrading and use as cycle route/emergency access and impacts on highway maintained land. - Surface water drainage at highway boundary		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	20 July 2022	11 August 2022
Summary of comments:		

Holding objection raised as several issues need addressing including; further information to clarify the function of the exiting watercourses on site. Confirmation on use of ponds and site drainage.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	22 August 2022	25 August 2022

Summary of comments:

No objections, the application is supported by a geophysical survey and a thorough and comprehensive Historic Environment Desk-Based Assessment which concludes that the site has potential for remains, particularly of the prehistoric and Romano-British periods, and the standing buildings on the site in the farmstead (County Historic Environment Record LWT 407) was also identified as potentially being worthy of further recording. Therefore, full suite of archaeological conditions is required.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	22 August 2022	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	21 July 2022	9 August 2022

Summary of comments:

No objections, comments incorporated into officer considerations.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	20 July 2022	28 July 2022

Summary of comments:

Contaminated Land concerns raised as the submitted Phase 1 report has been prepared on the basis of a different form of development, the report will need to be revised to assess the site against the actual proposed development. Further information in respect of the site investigation is also required.

In regards to noise and odour the proposed introduction of the club house will introduce multiple, potentially significant noise sources in very close proximity to existing dwellings on Jubilee Road. A competent acoustic assessment is therefore required which should assess the proposed development in detail, identify any potentially significant sources of noise and assess the impacts that noise from these sources may have on current dwellings. In addition, an odour assessment is required for the kitchen.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	20 July 2022	24 August 2022
Summary of comments: No objections, comments incorporated into officer considerations		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	20 July 2022	10 August 2022
Summary of comments: No objections, comments incorporated into officer considerations.		

Consultee	Date consulted	Date reply received
Disability Forum	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Emergency Planning	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SUSTRANS	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	22 August 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Anglian Water	22 August 2022	23 August 2022
Summary of comments: No comment		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	N/A	22 August 2022
Summary of comments: Holding objection to this application as no Great Crested Newt survey report has been submitted with this application, therefore there is insufficient ecological information to determine this application.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	16 November 2022	5 December 2022
Summary of comments: Holding objection as further information and clarification required.		

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	16 November 2022	13 January 2023
Summary of comments: Confirm that the proposed alterations to the site will require an amendment to the Caravan Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Revised conditions would be attached to the licence in respect of: <ul style="list-style-type: none"> - Site boundaries - Density and spacing - Roads and footpaths - Hard-standings - LPG storage - Electrical installation - Water supply - Drainage 		

- Refuse disposal
- Parking
- Notices

The conditions would be based on Model Standards applied appropriately to the application site.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 December 2022	No response
Summary of comments: Following the submission of further information, no objections raised.		

5. Publicity

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

Category	Published	Expiry	Publication
Major Application	29 July 2022	19 August 2022	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	29 July 2022	19 August 2022	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 25 July 2022 Expiry date: 15 August 2022
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7. Planning policy

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.36 - Coalescence of Settlements (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2021 (NPPF)

8. Planning Considerations

Policy and Legislative Background

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section six of this report.
- 8.2. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 (“The Local Plan”) and any neighbourhood plans in place (there is no such plan covering the parish of site area).
- 8.3. The NPPF is also a key material consideration in decision-taking.
- 8.4. A screening opinion under the EIA Regulations was sought prior to an application being made. The Local Planning Authority concluded that an Environmental Statement was not required – i.e., the development was ‘screened out’, for EIA purposes.

Principle of Development

- 8.5. The Local Plan notes the importance of the tourism sector to the area’s economy and seeks to support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.6. Applications for new self-catering tourism development are determined in accordance with policy WLP8.29. The policy clarifies that where proposals are for expansion or intensification of an existing site, the resultant number of pitches or units will determine which consideration is given.
- 8.7. The application proposed 84 additional pitches, policy WLP8.15 identifies that Large sites (80+ pitches/units) will be supported where:

1. They are in or close to Lowestoft, the market towns, or the coastal resort towns of the District;
 2. A Transport Assessment has been submitted demonstrating no significant impacts on the highway network;
 3. Safe and convenient access to public transport and local services and amenities are provided;
 4. Covered cycle storage proportionate to the size of the site is provided on site; and
 5. Commercial, recreational or entertainment facilities are provided on site.
- 8.8. The application site is located adjacent and directly links into the existing Caravan Park site, with the application site replacing existing facilities within that site. The proposal is well located to Pakefield and Lowestoft, and would provide direct access for the site from the adjacent A12. As such the proposal is deemed compliant with points 1 and 5.
- 8.9. Consideration of points 2, 3, and 4 are fully assessed under the Highways and Transport section, however, to summarise officers and statutory consultees consider there to be no significant impacts on the highway network, and there would be safe and convenient access to public transport. The site would also provide cycle storage. Furthermore, the site is located in close proximity to local shopping and dining facilities to the west.
- 8.10. The principle of the development is therefore entirely supported by the Local Plan spatial strategy and specifics of WLP8.15.

Holiday occupation and restrictions

- 8.11. Policy WLP8.15 sets out that “New self catering tourist accommodation will be restricted by means of planning conditions or a legal agreement which permits holiday use only and restricts the period the accommodation can be occupied.” The preamble for the policy sets out that enforcing against breaches of holiday occupancy conditions can be extremely challenging and it is preferable to prevent breaches occurring in the first instance. It is therefore important to set out precise and enforceable conditions or legal agreements which discourage residential use and which can be effectively enforced. As such, planning conditions or legal agreements should require new self-catering tourist accommodation units to be vacated for a specified and continuous period of at least six weeks of the calendar year. In order to facilitate year-round holiday use, the Local Planning Authority will allow proposals to vacate half the site at one time, and the rest of the site later that year.
- 8.12. As set out within section 2 of this report, both parts of the existing park have no closed period, with year round occupation recently granted via appeal on the northern portion of the site. The existing site has permission for 391 static caravans, the proposed expansion is for 86. Given this is an expansion to the site, and that it will directly link into the existing site, it is considered that the application of a closed period for just this area of the park would not be necessary or reasonable.
- 8.13. There have also been no reports of breaches of occupation on the site to the council.
- 8.14. However, a condition will be applied preventing the use of the site for any other means other than as holiday accommodation, not to be occupied as someone’s sole or main

residents, and that a logbook be completed for all occupants which should be made available to officers on request.

- 8.15. It is therefore considered by officers that the site could be effectively monitored, and complies with policy.

Landscape and Visual Impact

- 8.16. Policy WLP8.29 (Design), sets out that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should:
- Demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness;
 - Respond to local context and the form of surrounding buildings in relation to:
 - the overall scale and character
 - layout
 - site coverage
 - height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular;
 - Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;
- 8.17. Additionally, Policy WLP8.35 (Landscape Character) sets out that proposals for development should be informed by, and be sympathetic to, the distinctive character areas, strategic objectives and considerations identified within the appropriate landscape appraisals.
- 8.18. Policy WLP8.35 carries on to state that development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and where possible enhance. In addition, include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.
- 8.19. The councils Principal Landscape and Arboricultural Officer has reviewed the application and raised no objections to the proposal.
- 8.20. The site is currently down to farmland and farm related activity, including a range of farm buildings which are shown for demolition as part of the development proposals. To the north is the residential edge of Pakefield, to the east is the existing holiday park, to the south open land and to the west, the A12 and commercial units. Although the change from farmed use to holiday park is notable, the receiving landscape is not considered to be of any great sensitivity especially given the strong presence of adjacent land uses.
- 8.21. The application has submitted an Arboricultural Impact Assessment & Method Statement The report identified 31 individual trees, 2no. groups and 9no. hedges. The site is

predominately boundary scrub vegetation associated with field boundaries, spreading into onsite areas dominated by blackthorn and elm. The southern and eastern boundaries are marked by broken old growth Hawthorn hedgerows on variable states of maintenance. The only substantial trees within the eastern part of the site area are willows and Alders located in the central pit. The western part of the site includes a greater density of trees associated with past use as paddocks and gardens but these are in very poor condition.

- 8.22. The boundary hedgerows to the south offer significant screening. Larger specimens may be visible from some distance but otherwise the trees identified within the survey are of low landscape significance. The amenity value of the trees is limited by the visual envelope however the mature stock does offer maturity of character to the site and retention would soften the impact of development in aesthetic terms.
- 8.23. In order to facilitate the proposal 15no. trees, 8no. groups and a hedge are required to be removed. These are as follows:
- T3 T5 T6 T7 ivy covered Elms, which are dead
 - T17 Sycamore T18 multi-stemmed Crack Willow, in fair condition
 - T21 Black Elder, in fair condition
 - T22 small Wild Cherry, in fair condition
 - T23 small Ash, in fair condition
 - T24 Black Elder, in fair condition
 - T25 T27 T28 (3 x Hawthorn) , in fair condition
 - T29 Black Elder, in fair condition
 - T31 Goat Willow, in fair condition
 - G1 Crack Willow, in good condition
 - G10 Crack Willow, in good condition
 - G12 unmanaged Blackthorn along ditch, , in fair condition
 - G13 dense Blackthorn scrub, in fair condition
 - G14 scattered young Hawthorn, in fair condition
 - G15 Leyland cypress (storm damaged / deadwood) , in poor condition
 - G17 dense scrub mix Blackthorn, Willow & Damson, in fair condition
 - G19 scattered young Hawthorn, in fair condition; &
 - H8 neglected Ivy covered Hawthorn / Blackthorn on ditch bank, in fair condition
- 8.24. 3 x groups require partial removal, these include:
- G16 dense area of scrub Blackthorn & Damson Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit
 - G18 dense Blackthorn scrub Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit.
 - H5 Hawthorn & Elm Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit.
 - H9 Ivy covered Hawthorn Fell section to enable site access as shown on AIA plan
- 8.25. T2 Oak, which is noted as been the tree of greatest value, is situated off site & should not be adversely affected by proposal protective fencing as illustrated on Arboricultural Impact Assessment Plan.

- 8.26. Whilst some existing trees and scrub will need to be removed especially in respect of the new access, new planting is proposed in mitigation. Many existing trees are to be retained and protected during construction.
- 8.27. The southern edge of the development area is shown as being left for green space and the existing pond features are to be retained. New planting is proposed which is considered to enhance this area, establish a valuable degree of screening from views from the south, and help assimilate the area into the wider landscape.
- 8.28. There will be some disruption to local landscape character arising from the demolition/construction phase, but this is considered to be relatively short lived and will mainly focus on the demolition phase, and temporary stockpiles of excavated materials.
- 8.29. On completion, the new clubhouse and caravans are deemed to have a minor adverse effect on the character of the site itself, but once new planting begins to mature, any effects on the surrounding locality is deemed by the Principal Landscape and Arboricultural Officer to be slight, changing to neutral over time.
- 8.30. In visual impact terms, the site is generally well contained with existing retained vegetation and buildings to the north, east and west. In respect of more open views to the south, visual receptors are more distant compared to other directions. Visual impacts from construction activity will be mainly limited to local residents to the north, especially from upper floor south facing windows. At worst, for a few receptors being of high sensitivity, visual effects during construction will be substantial/moderate and adverse, albeit for a relatively short period of time, however, this is to be expected from a redevelopment of such a site. It is proposed that the build phase will take place in the closed winter period.
- 8.31. On completion, the finished development will be partially visible with glimpsed views from a limited range of locations in the locality, and such visibility will progressively reduce as new planting matures. The greatest visual effects are considered to be experienced by residential occupants of properties immediately to the north of the new clubhouse and swimming pool building, however, this is considered to be moderated over time by new boundary planting.
- 8.32. Overall, the officers including the principal Landscape and Arboricultural Officer considers that the proposal is well considered in landscape terms and would have no adverse landscape impacts. The new planting is also contributed to local landscape amenity.
- 8.33. The proposal is considered to comply with policy WLP8.35 (Landscape Character), as the proposed new planting is informed and sympathetic to the local landscape distinctiveness which will be protected and enhanced by the new planting. Furthermore, the mitigation planting and retention and protection during construction of existing planting will allow the development to integrate into the local landscape, and improving connectivity with local green infrastructure.
- 8.34. Policy WLP8.36 (Coalescence of Settlements), sets out that development of undeveloped land and intensification of developed land between settlements will only be permitted where it does not lead to the coalescence of settlements through a reduction in openness and space or the creation of urbanising effects between settlements.

- 8.35. The development is set outside of the settlement boundary, between Lowestoft and Kessingland which is identified in the policy as an important gap. However, given the screening that would be retained and proposed, and the physical separation distance that would still be retained, it is considered that there would be sufficient gap between the settlements of Lowestoft and Kessingland as to not result in the coalescence.

Highways and Transport

- 8.36. Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms. The NPPF sets out (inter alia) that:
- 8.37. Paragraph 110 - "it should be ensured that... (b) safe and suitable access to the site can be achieved for all users"; and
- 8.38. Paragraph 111 - "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.39. The existing site is accessed via Grayson Avenue and Arbor Lane off the B1532, this is reported to lead to several issues particularly around traffic and disruption given these are mainly residential roads. The proposal seeks to construct a new access directly off the A12 to serve the expansion site as well as the existing site. This new access has been designed as a left in left out only access, to minimise the disruption to vehicles using this section of the A12 which is located between two roundabouts situated approximately 170m to the north and 350m to the south of the access.
- 8.40. The application includes measures to limit/stop the use of the existing access. Access along Arbor Lane towards the beach has created difficulties with this arrangement as it in effect severs the site in two. It is proposed that:
- There would be no vehicular access for southernmost section of the existing holiday park and proposed extension via Arbor Lane.
 - Access via Arbor Lane would be maintained for the existing northernmost section of the holiday park and the private dwellings within the site to the east.
 - The main access to the existing reception and club house stopped up with bollards.
 - To restrict holiday makers of the southernmost section of the existing holiday park and proposed extension using the Arbor Lane access, three existing barriers would be amended, to always remain down, and operated with a 'key-fob' system to only allow staff access at any time. No owners or holiday guests would have access to use these barriers to ensure that vehicles associated with the extension / southern section do not traverse across the site and use the Arbor Lane access as a shorter route to Pakefield
 - All deliveries, refuse vehicles, new and replacement static caravans associated with the entire holiday park (existing and proposed) will utilise the new A12 access into the site, rather than Arbor Lane.
- 8.41. The applicant has advised that all caravan owners will be informed of this change of access arrangement and informed to arrive at the A12 access to receive their welcome pack as part of the arrival protocol (as part of their booking information). Following this they will be informed how to get to their caravan – whether this to be to use the internal network

for the southernmost existing section and proposed extension, or to go round to the Arbor Lane access for the northern existing section.

- 8.42. This is considered to provide a significant benefit to existing residents along Arbor Lane and Grayson Avenue as it would take away HGV movements associated with the development on this road, as well as significantly reduce the number of vehicles movements within the surrounding residential roads. It is noted that some short term impacts may occur whilst people get used to the arrangements however, this is not considered to be long term.
- 8.43. The site access road from the A12 would be 6 metres in width for the first 30 metres, and then narrow down to a width of 4.8 metres. At a point 15 metres into the site, a raised table crossing with priority to pedestrian and cyclists would be provided to allow these movements along the A12 to cross the mouth of the junction. A 2m wide footway along the northern edge of the access from the crossing would provide pedestrian access into the site. It is proposed that the internal road will be a shared space, and as such traffic calming measures are proposed.
- 8.44. Existing vegetation cut back to pedestrian visibility splay lines for improved junction safety, and 120m long vehicle visibility splays will be provided.
- 8.45. The entry and exit barrier will be located 50m to the east of the A12. The barrier will be on a 'key-fob' system, with an intercom to reception also provided should a guest not have their access key fob. All owners will already have been issued a fob to allow them to freely enter and exit throughout the day. For holiday guests, prior to arrival, the park will make up welcome packs, including keys and barrier fobs for each guest. On arrival, holiday guests will park up in one of the 5 designated spaces provided before needing to pass through the barrier to allow any first-time check-in guests to park up and pick up their 'key-fob'.
- 8.46. The applicant has set out that in the event there are a large number of check-ins (i.e. on a bank holiday), holidaymakers would be told to park at the main complex rather than reception to give additional space to deal with high volumes. If in any unlikely event there was a queue the park would leave the barriers open to avoid queuing into the A12. In addition, in event of a power cut, the barrier can be raised manually or unbolted in the event of damage.
- 8.47. The TRICS assessment undertaken as part of the Transport Statement confirmed that the combined development of 386 static caravans (300 existing & 86 proposed) could generate a total of 27 two-way movements in the morning peak hour and 62 two-way movements in the evening peak hour at the new A12 junction. During the busiest evening peak period, this would equate to 28 arrivals and 34 departures. Therefore, on average, there would be 1 arrival, and 1 departure, every 2 minutes, in the busiest peak period. It is noted that not all of these arrivals will be new guests with a number of existing guests entering the site using their access fob to facilitate immediate entry. Based on the site's trip generation during the busiest peak period, a car would need to remain stationary at the entrance barrier for 12 minutes before it would result in a queue of 6 vehicles and blocking back onto the A12 could occur.

- 8.48. Suffolk County Councils Highways team has reviewed the application and following the submission of further information they consider the proposal to be acceptable subject to a number of conditions including off site works.

Economic Considerations

- 8.49. The Waveney Local Plan identifies the importance of the Tourism Sector to East Suffolk. Waveney is home to a diverse range of natural and cultural tourist attractions and the tourism industry is a vital part of Waveney's economy. The East Suffolk Business Plan strives to build on the strength of the tourism economy and sets out the aims of increasing visitor numbers outside of the main tourist season. Supporting the industry is of great importance but it must not be at the expense of the assets and attractions that draw people in to the area.
- 8.50. Within the submitted Design, Access and Planning Statement, the applicant has detailed their economic case for the proposed development. These are:
- Improvements to the type and quality of holiday accommodation on offer through the siting of larger static caravans at the required spacing, and the provision of a new proposed central facilities complex; with a new site entrance.
 - The relocation of the coastal element of Pakefield Holiday Park through moving holiday accommodation away from an area already being diminished by coastal erosion;
 - Securing the long term sustainability of Pakefield Holiday Park as a rural business and key tourism employer in the local area.
- 8.51. The applicant details that the development will allow them to provide facilities and accommodation, in line with modern day consumer demand and trends for more spacious accommodation. In addition, it would provide sustainability of the park through reducing the threat currently posed by coastal erosion. The applicant has noted that the 'rollback' of the park by utilising land this land away from the coast will have a significant role in decreasing the risk to people and property in the future as a result of the coastal erosion problem. Long term, the park is at risk due to its location directly adjacent to the coast as evidenced by the loss of 23 static caravan pitches since 2018.
- 8.52. Furthermore, the redevelopment will result in the creation of additional full and part-time jobs, both through the construction phase and long term management of the park, as well as sustaining jobs long term. It is also considered to result in improved direct and indirect off-site spend into the local economy and wider community.
- 8.53. Officers agree with the applicant's claim that this is an important tourism asset that should be enabled to protect the existing accommodation and secure a long-term future for the park.
- 8.54. The Council's Economic Development Team have been consulted on the application. Any comments received will be included in the update sheet/report.

Amenity

- 8.55. The proposed introduction of the club house will introduce multiple, potentially significant noise sources into the immediate existing dwellings on Jubilee Road, located

approximately 35m north. In particular there will be plant associated with the kitchen (flues, air intake and extraction systems, refrigeration etc), air conditioning units and pool plant. In addition, the club house itself could be a significant source of noise in connection with its use.

- 8.56. The proposed clubhouse has been designed to mitigate acoustic impacts, with measures such as the side entrance to the clubhouse being lobbied and other opening doors onto the patio area located in the façade facing away from the nearby receptors. It is also noted that the proposed clubhouse would be built to modern technical standards and therefore would have a greater acoustic design to the existing clubhouse at Pakefield.
- 8.57. The applicant has also confirmed that the main use of the bar/restaurant area would be as a bar/restaurant with only occasional (once per quarter) live entertainment events, similar to those already undertaken within the existing clubhouse. It has also been confirmed that that any live music events would only take place up to 22:30 hours.
- 8.58. The report identifies that any recorded/live music event would have a noise level of 85dB(A) at 1m from the source of the music, i.e., the speaker/amplifier. On occasions when these events take place noise levels at the nearby properties may increase by around 3dB up to 11pm. With penalties applied for intermittent and impulsive content of the noise source, rating levels within garden spaces of the nearest receptors would be around 39dB; which would be 3dB above the daytime measured background sound level. This would fall below the level at which an adverse impact would occur according to BS4142. It should also be noted that the predicted noise levels would remain below the existing measured 40dB LAeq at the properties.
- 8.59. The Councils Senior Environmental Protection Officer has reviewed the application, and the reports submitted as part of and during the course of this application. The submitted noise assessment predicts that noise from the club house will arrive at the nearest sensitive receptor at, or around, existing background levels and have a low impact on occupants. It has been recommended that conditions be applied that in line with the information underpinning the noise information. As such a condition is proposed restricting live music to no later than 10:30pm.
- 8.60. The submitted kitchen odour assessment has determined that the risk of adverse odour impacts is high and that a high level of odour mitigation will be required. In order to ensure that the appropriate measures are installed a condition will be required to ensure that the applicant submits details proposals and specifications for the intended odour abatement measures. Those measures would need to accord with the submitted odour assessment and the EMAQ guidance document 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. Thereafter, the installed measures would be required to be serviced and maintained in accordance with the manufacturers guidance to ensure that they remain effective.
- 8.61. The site plan shows the placement of caravans towards the north boundary with properties along Jubilee Road. The plans show that 25 units will be positioned along this boundary at approximately 4 – 7m from the boundary, with a further 6 units in the 'showground' area. However, the precise locations are not dictated by planning as the application is for change of use of the land to site caravans, but by the site license which controls matters such as site boundaries, density and spacing.

- 8.62. The properties along the northern boundary of the site are a mixture of single and two storey dwellings, as well as caravans, with a variety of boundary treatments along the boundary. The proposal seeks to plant a row of trees along this boundary with existing planting retained to the west, this is deemed to provide screening between the site and these residential properties. The caravans would be of standard design and single storey scale, and as such there is deemed to be no loss of light. In addition, whilst there may be limited loss of privacy whilst the planting establishes, overtime this impact would lessen. The landscaping condition would also require that any planting that dies within 5 years to be replaced.
- 8.63. Therefore, subject to appropriate conditions the proposed impact on the amenity of neighbouring residents is not deemed to adversely impact upon their enjoyment of their dwelling to warrant refusal of this application, and therefore accords with policy WLP8.29.

Ecology and Biodiversity

- 8.64. Policy WLP8.34 sets out the policy position for Biodiversity and Geodiversity. The policy sets out that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey, and if present the proposal must be sensitive to, and make provision for their needs. A Preliminary Ecological Appraisal and Protected Species Surveys report and a Bat Survey Assessment report.
- 8.65. The council's Ecologist has reviewed the application and the submitted reports. The submitted surveys identify that in the absence of appropriate mitigation the proposed development could result in adverse impacts on several protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), including great crested newts, reptiles, badgers and nesting birds.
- 8.66. The survey reports provide several mitigation measures, including:
- Appointment of an ecologist acting as an Ecological Clerk of Works (ECoW)
 - Removal of suitable nesting habitats outside of breeding season
 - Requirement to obtain a Natural England licencing consent in relation to targeted Great Crested Newt mitigation
 - Measures to ensure no grass snakes come to harm
 - A one way temporary exclusion fence will be installed across the site to separate the developable area from the conservation area.
 - All reptiles and amphibians habituated to the developable area of the site will be translocated into the receptor area.
- 8.67. The Ecologist has reviewed the mitigation measures detailed within the submitted Preliminary Ecological Appraisal and Protected Species Surveys report and has agreed with all of the mitigation measures detailed within that report. These measures would be required by any condition on an approval.
- 8.68. The Preliminary Roost Assessment (PRA) determined that three of the buildings had low to moderate potential to support roosting bats, these buildings were subsequently subject to nocturnal surveys, carried out in suitable weather conditions in August 2021, to establish if they are used by roosting bats. These surveys recorded no bats roosting in the on-site

buildings during these surveys, and general bat activity was very low and limited to occasional passes from individual Common and Soprano Pipistrelle.

- 8.69. The report also identifies that all trees were of an age and/or species that do not generally support features of potential value to roosting bats, and all trees were classed as negligible value to roosting bats. Furthermore, the site was classed as being of low value to foraging/commuting bats based on the results of the nocturnal surveys and habitat assessment.
- 8.70. The Bat Survey and Assessment Report therefore identifies that there were no records of any bats roosting on the site but recommends updated surveys for bats prior to the demolition of buildings if works are delayed beyond 2022. In this instance given that the initial surveys are relatively recent and were negative, it is considered that any permission could be subject to a condition that these further reports be submitted and approved before any demolition is undertaken.
- 8.71. A mitigation strategy for reptiles will also be required however, this is recommended to be undertaken alongside the mitigation for great crested newt which will be conditioned. This involves the translocation of reptile and amphibians into receptor area.
- 8.72. The report identifies several opportunities for the ecological enhancement of the site, these include:
- Any new plantings around the site incorporates native species of locally sourced stock and include species that will benefit bats/birds and nectar feeding invertebrates;
 - The defunct hedgerow in the south of the site, set for retention, could be planted up with a mix of native hedgerow species;
 - New hedgerows and/or tree screens could be established around the site boundaries;
 - The network of drainage ditches around the site could be restored and planted with appropriate fringing vegetation.
 - The erection of bird and bat boxes on retained trees around the site boundaries.
 - Improve floral diversity within the conservation area through plug-planting, seeding and a meadow management regime.
- 8.73. The development site is within the recreational disturbance Zone of Influence for Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The LPA has been seeking appropriate mitigation of tourism uses in the zone of influence to ensure that there is no adverse effect on the integrity of Habitats Sites in East Suffolk.
- 8.74. As the application proposes 84 additional units, this would trigger the threshold of 50+ residential units which requires a Habitat Regulation Assessment (HRA) to be undertaken.
- 8.75. A draft HRA has been undertaken by the Councils Senior Ecologist. In accordance with the mitigation measures identified as part of the Suffolk Coast, the development will include:
- Landscaped onsite open space (of approximately 1.1Ha);
 - A footpath connection from the new development, through the existing caravan park, to Footpath 39 and the beach. This will allow circular walking routes from the site of a variety of lengths up to and exceeding 2.7km.

- 8.76. Whilst it is acknowledged that circular walks utilising this route will, by their nature, have to be in a north-south direction, it is considered that the presence of the beach makes up for this limitation. The implementation and retention of the part of the footpath connection through the existing caravan park will be secured by planning condition;
- 8.77. In addition, in order to conclude that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites the relevant financial contribution to the strategy is also required to be secured prior to determination. Any recommendation to approve is on the basis that this contribution is secured (through planning obligation/legal agreement); or alternative evidence provided to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites.
- 8.78. Subject to appropriate conditions, confirmation from Natural England that the HRA is acceptable and RAMS contribution (or evidenced alternative mitigation) the scheme would accord with the requirements of Local Plan policy WLP8.34, the NPPF, and the Conservation of Habitats and Species Regulations (2017) (as amended).

Coastal Change Management and Re-location of Development Affected by Coastal Erosion

- 8.79. The application site is not situated within the Coastal Change Management Area or the 30m buffer, however, the existing site is and over recent years the existing site has been impacted by coastal erosion.
- 8.80. A Coastal Erosion Vulnerability Assessment (CEVA) has been submitted, and officers from the Coastal Partnership East have reviewed the application, and advised that the CEVA conclusion is that there will be ~84m of erosion immediately east of the new development site over its 75 year life which will not reach the site's eastern boundary within that period.
- 8.81. This estimate of erosion extent to 2095 is more than double that in the SMP and in the 2019 CPE report, both of which are heavily referenced in the CEVA. The report assumes no defences are put in place over the 'No Intervention' policy frontage to resist erosion.
- 8.82. Coastal Partnership East have advised that the CEVA is of reasonable quality and takes a precautionary approach to erosion risk estimation. As such they have recommend that the CEVA be accepted.

Sustainability

- 8.83. The application proposes several integrated sustainability measures into the scheme, these include:
- A fabric-first approach to design including use of Energy-efficient building fabric and insulation, and securing a good quality of build to achieve good air-tightness;
 - Installation of Air Source Heat Pumps;
 - Installation of Photovoltaic panel arrays;
 - Cycle storage facilities
 - Vehicle charging points
 - New plantings around the site could incorporate native species of locally sourced stock
 - Ecological enhancements

Heritage Assets

- 8.84. The application is supported by a geophysical survey and a thorough and comprehensive Historic Environment Desk-Based Assessment. Suffolk County Council Archaeological Service have reviewed the application and support the conclusions of the DBA. The report details that the site has potential for remains, particularly of the prehistoric and Romano-British periods, as indicated by the geophysical survey and information from surrounding sites recorded in the Historic Environment Record. An element of the standing buildings on the site in the farmstead (County Historic Environment Record LWT 407) was also identified as potentially being worthy of further recording.
- 8.85. It has therefore been judged that there is a high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 8.86. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 8.87. The nearest listed building to the site is situated approximately 420m north of the site and given the separation distance and development between the application site and the Listed Building there is considered to be no impact on its setting.

Other Matters

- 8.88. Suffolk County Council Flood and Water Management Team (LLFA) initially raised a holding objection as they required further information in order to provide an appropriate response. Subsequently, the applicant has provided additional information with regards to surface water flooding on the site and following this additional information the LLFA have raised no objections to the proposal subject to conditions.
- 8.89. Concerns have been raised regarding the impact that the additional 88 pitches would have on local services in the area. As the proposal is for tourist accommodation and the units will be conditioned to remain within that use, it is not considered that the demand for local services would be significant to result in significant additional pressures on services.

9. Conclusion

- 9.1. The proposed development is a logical extension to The Park providing significant economic benefits and supporting an existing tourism use. The proposal would ensure that Pakefield Caravan Park can provide modern facilities to visitors to the park whilst also allowing roll back opportunity due to the challenges of coastal erosion in this area.
- 9.2. The proposal is deemed to accord with policy WLP8.15, as an expansion to an existing site which is situated adjacent to Lowestoft with a new access from the A12.

- 9.3. The proposed new access is considered safe and would result in the removal of significant traffic from the local residential road network around the existing access off Arbor Lane. In addition, the proposed extension is not considered to adversely impact upon the character and appearance of the area and would have no adverse impact on protected species whilst providing a level of ecological enhancement along the southern boundary. The proposal is also concluded to have no significant amenity impacts from increased noise or loss of privacy long term.
- 9.4. For the reasons given in this report, the scheme is considered to be an acceptable form of tourism development in accordance with the Development Plan. There are no other material considerations, in combination, that would indicate for a decision other than in accordance with the Development Plan.

10. Recommendation

- 10.1. Authority to Approve, subject to conditions list below; and subject to officers undertaking an Appropriate Assessment and concluding that the scheme will not have likely significant effects on European (Habitats) Sites.

11. Conditions

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
- Site Location Plan, received 23/06/2022
 - General Arrangement Plan, 201.129.ENZ.00.XX.DR.L.00.101PL05, received 15/02/2023
 - Proposed Clubhouse Floor Plan, 290-06-B, received 23/06/2022
 - Proposed Clubhouse Elevations, 290-07-B, received 23/06/2022
 - Proposed Clubhouse Roof Plan, 290-09-A, received 23/06/2022
 - Perspective view from north-east, received 23/06/2022
 - Perspective view from south-west, received 23/06/2022
 - Illustrative Masterplan, SHF.201.129.ENZ-XX-XX-DR-L-00-001PL01, received 23/06/2022
 - Landscape and Visual Assessment, SHF.201.129.LA.R.00.001, received 23/06/2022
 - Soft Landscape Plan Page 1 of 4, 201-129-ENZ-XX-00-DR-L-45-101 PL04, received 15/02/2023
 - Soft Landscape Plan Page 2 of 4, 201-129-ENZ-XX-00-DR-L-45-002, received 23/06/2022
 - Soft Landscape Plan Page 3 of 4, 201-129-ENZ-XX-00-DR-L-45-003, received 23/06/2022
 - Soft Landscape Plan Page 4 of 4, 201-129-ENZ-XX-00-DR-L-45-004, received 23/06/2022
 - Soft Landscape Schedule, received 15/02/2023
 - Entire Site Plan, 201-129-ENZ-XX-01-DR-L-00-002, received 23/06/2022
 - Landscape Management and Maintenance Plan, SHF.201.129.ENZ.LA.R.001, Prepared by Enzygo Ltd, received 23/06/2022
 - Flood Risk Assessment (FRA), SHF.201.137.HY.R.001.A, Prepared by Enzygo Ltd dated February 2022, received 23/06/2022

- (FRA) Consultation response, SHF.201.137.HY.R.002.A, Prepared by Enzygo Ltd dated February 2023, received 06/02/2023
- (FRA) Consultation response, SHF.201.129.HY.L.004.A, Prepared by Enzygo Ltd dated February 2023, received 31/03/2023
- Phase I Geo-Environmental Report, SHF.201.129.GE.R.001.A, Prepared by Enzygo Ltd dated June 2022, received 04/11/2022
- Coastal Erosion Vulnerability Assessment (CEVA), SHF.201.129.HY.R.003.A, Prepared by Enzygo Ltd dated June 2022, received 23/06/2022
- Preliminary Ecological Appraisal & Protected Species Surveys, CE21037, Prepared by Co-Ecology dated May 2022, received 23/06/2022
- Bat Surveys and Assessment, CE21037, Prepared by Co-Ecology dated September 2021, received 23/06/2022
- Tree Survey & Arboricultural Constraints Report and Tree Constraints Plan, Prepared by Corsican Associates dated 2 March 2022, received 23/06/2022
- Transport Statement, SF5046PD, Prepared by Sustainable Development and Delivery dated June 2022, received 23/06/2022
- Proposed Sitewide Plan, 290-10-P2, received 23/06/2022
- Design and Access Statement (relating to Central Facilities Building) dated June 2022 Prepared by Laurie Wood Associates, received 23/06/2022
- Geophysical Survey Report, MSST1268, dated 7 June 2022 Prepared by Magnitude Surveys, received 23/06/2022
- Sustainability Statement, LA.AL.NR33, prepared by engergist, received 29/07/2022
- Arboricultural Impact Assessment & Method Statement, CA21/021, Prepared by Corsican Associates dated 19 June 2022, received 29/07/2022
- Tree Protection Plan, 21/021-03, received 29/07/2022
- Noise Impact Assessment, SHF.201.129.NO.R.001, Prepared by Enzygo Ltd, received 04/11/2022
- Additional Acoustic Information, via email, received 09/01/2023
- Kitchen Odour Risk Assessment, SHF.201.129.AQ.R.001, Prepared by Enzygo Ltd, received 10/11/2022

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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal & Protected Species Surveys (Co-ecology, May 2022) and the Bat Survey Assessment report (Co-ecology, September 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

5. The development shall not in any circumstances commence unless the local planning authority has been provided, in relation to great crested newts, with either:
 - a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
 - b) a statement in writing from the relevant licensing body, or a suitably qualified and licenced ecologist, to the effect that it is not considered that the specified development will require a licence.

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

6. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

7. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for great crested newts, reptiles, badgers, bats and nesting birds has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

8. Prior to works above slab level a "lighting design strategy for biodiversity" for the areas highlighted within the PEA (Co-ecology, May 2022) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

9. Prior to construction of the club house, hereby approved, an assessment of odours arising from the proposed kitchen details proposals and specifications for the intended odour abatement measures, shall be submitted to, and approved in writing by, the LPA. The assessment should accord with the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems. An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.' If odour control measures are required these should be detailed. Thereafter the development must be completed in accordance with the approved odour assessment, and the equipment serviced and maintained in accordance with the manufacturers guidance to ensure that they remain effective.

Reason: To protect the amenity of neighbouring residents

10. The club house, hereby permitted, shall be constructed and operated in accordance with the recommendations as set out within the Noise Impact Assessment (SHF.201.129.NO.R.001, prepared by Enzygo Ltd), received 04/11/2022.

Reason: To protect the amenity of neighbouring residents

11. The clubhouse, hereby permitted, shall not be operated outside of the hours, 07:00 and 00:00 (midnight)

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

12. No amplified or live music shall be played in the premises outside of the following times 07:00 and 22:30.

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

13. 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 the report of an intrusive investigation of contamination has been submitted to, and approved in writing by, the local planning authority. The report should include:
- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
 - explanation and justification for the analytical strategy;
 - a revised conceptual site model; and
 - a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and Land Contamination Risk Management.

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

14. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - proposed remediation objectives and remediation criteria; and
 - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and Land Contamination Risk Management.

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

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

15. Prior to any occupation or use of the approved development the RMS approved under condition 14 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

16. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - evidence that the RMS approved under condition 14 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.

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

18. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

19. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

20. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

21. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
- Temporary drainage systems
 - Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

22. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance

with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

23. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 22 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

24. No development shall take place until the applicant or developer has secured the implementation of a programme of historic building and analysis work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

25. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. SF5046-3PD-001 B Rev B metres measured from the nearside edge of the metalled carriageway.

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.

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

The Construction Management Plan shall include the following matters:

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

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

27. 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. *This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

28. The use shall not commence until the area(s) within the site shown on drawing no. 201.129.ENZ.00.XX.DR.L.00.101 PL05 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

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

29. Before the vehicular access is first used 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 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

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.

30. Before the pedestrian access is first used 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 from 15 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 25 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

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.

31. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. SF5046-3PD-002 have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety

32. The approved static caravans shall be used for holiday/tourism accommodation only and for no other purpose unless express planning permission is granted by the Local Planning Authority (LPA). The owners/operators of the holiday units 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 units during each individual letting. The said register shall be made available at all reasonable times to the LPA.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, delivering benefit to the rural tourism economy, in accordance with Policy WLP8.15.

33. No more than 86 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on the site at any time.

The units shall only be sited on the identified for such purposes on the Site Layout (201.129.ENZ.00.XX.DR.L.00.101). For the avoidance of doubt, static caravans shall not be sited on the southern part of the application site.

Reason: To ensure that the number of caravans on site is controlled and that the open green space is retained to protect the wider character of the area

34. All hard and soft landscape works shall be carried out in accordance with the approved plans and details, as shown on 201-129-ENZ-XX-00-DR-L-45-101 PL04, 201-129-ENZ-XX-00-DR-L-45-002, 201-129-ENZ-XX-00-DR-L-45-003, 201-129-ENZ-XX-00-DR-L-45-004, and the approved Soft Landscape Schedule.

The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory

35. No development shall take place until the existing trees and hedges on site which are to be retained as detailed on approved Arboricultural Impact Assessment & Method Statement (CA21/021, dated 19 June 2022) have been protected in accordance with the measures detailed within that report. All protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected.

Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.

36. Prior to the siting of any static holiday caravans on the land, a colour scheme/pallet for the external appearance of the static caravans shall be submitted to and approved in writing by the Local Planning Authority. All static holiday caravans sited on the land shall have an external appearance in accordance with the approved colour scheme/palette.

Reason: To ensure the proposal respects the character and appearance of the area.

37. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the provision of electric vehicle infrastructure if a suitable scheme cannot be retrospectively designed and built.

38. Prior to the first use of the new access onto the A12, hereby approved, precise details of means and operations to restrict access onto Arbor Lane, as set out within the submitted document "Technical Note 1", and drawing SF5046-3PD-002, shall be submitted to and approved in writing by the Local Planning Authority. The existing access points along Arbor Lane shall then be restricted in accordance with the approved measures with 2 months of the first use of the new access onto the A12. The measure shall thereafter be retained and operated in accordance with those approved details.

Reason: To reduce impact on local road networks.

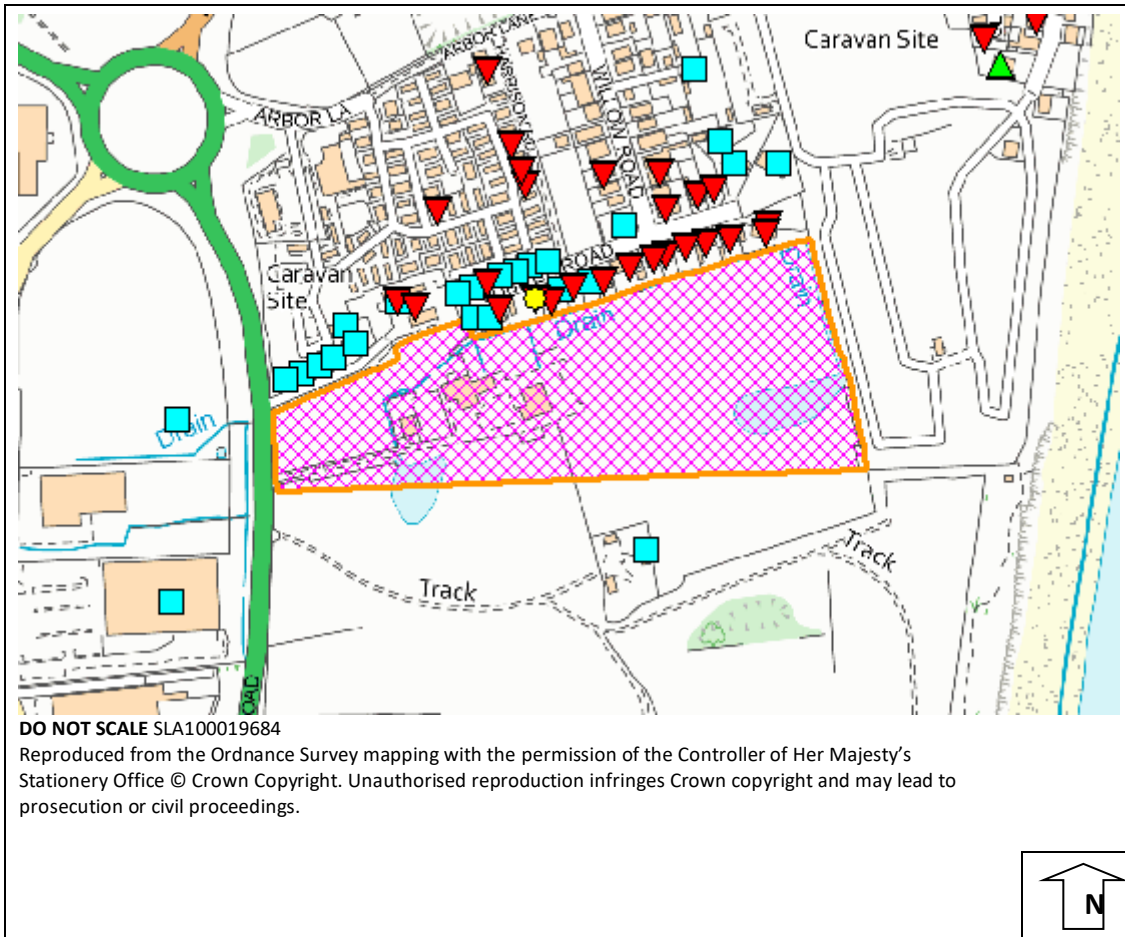
39. Prior to any demolition on the site, a repeat building inspection for bats and one emergence or dawn re-entry survey (as identified in the approved Bat Survey Assessment report (Co-ecology, September 2021)) shall be undertaken and a report detailing the results of these surveys shall be submitted to and approved in writing by the Local Planning Authority. If any mitigation or compensation measures are required as a result of these surveys, details of these shall be included within the submitted report, and works shall be undertaken in accordance with those approved details.

Reason: To ensure that ecological receptors (bats) are adequately protected and enhanced as part of the development.

Background information

See application reference DC/22/2520/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 8 August 2023

Application no DC/23/0701/FUL

Location

Holly House
80 Pier Avenue
Southwold
Suffolk
IP18 6BL

Expiry date 21 April 2023

Application type Full Application

Applicant Matthew Gregory

Parish Southwold

Proposal Demolition of existing single storey side and rear extensions. Provision of new single storey side and rear extensions onto larger footprint. Internal alterations and provision of new dormer window to attic storey to north elevation. Provision of raised veranda to rear of lounge and dining room.

Case Officer Charlie Bixby
01394 444572
charlie.bixby@eastsoffolk.gov.uk

1. Summary

- 1.1 The application seeks the demolition of the existing single storey side and rear extensions and the erection of new single storey side and rear extensions, and a new dormer window to the attic storey on the north elevation. The proposal also involves the provision of a raised veranda to rear of lounge and dining room.
- 1.2 The proposal has been amended since original submission in response to officer feedback and is deemed to be of good design that will cause no adverse neighbour amenity impact. The proposal is therefore in accordance with the Development Plan and recommended for approval.

1.3 The application has been referred to the Planning Committee (North) by the Referral Panel.

2. Site Description

2.1 The application property is a large attractive, two and a half storey dwelling located along Pier Avenue which features a mix of style and character of dwellings. The property is slightly set back from the highway. The application site is located within the Southwold settlement boundary, the Area of Outstanding Natural Beauty (AONB), but outside the Southwold Conservation Area.

3. Proposal

3.1 The application seeks the demolition of the existing single storey side and rear extensions. The proposed new development is for single storey side and rear extensions; a new dormer window to the attic storey on the north elevation; and raised veranda to the rear of the lounge and dining room.

4. Consultees

Comments on amended scheme to be considered by the Planning Committee

Consultee	Date consulted	Date reply received
Southwold Town Council	24 May 2023	7 June 2023
Town Council Recommendation: Refusal		
<p>This building is one of three high status homes in the Arts and Crafts style built by the Coast Development Corporation between 1905 and 1907. See Figure 9, Map highlighting key phases of twentieth century development P. 93 of the Southwold NP Character Area Appraisal, and PP 99-100, including Figure 18 (photo of 84), quoted below.</p> <p><i>‘Further towards the eastern end of Pier Avenue is a collection of high status houses with distinctive features, large plot sizes and massing, and detailing. On the northern side of Pier Avenue are three mock Tudor dwellings built by the Coast Development Company. These houses appear largely unchanged today, as seen from current views of Pier Avenue (Figure 18). Their distinct rooflines, topped by a finial at the peak, with an east facing gable and tall chimneys make them identifiable, and indicate the intended status of their occupiers at the time of development. Their rough cast render has been painted, contrary to the style of the period.</i></p> <p>The front side extension, shown in Figure 18 and the ‘snip’ from Google street scene below, is an integral attractive feature of the arts and crafts design and contributes to the street scene. It is on the same plane as the front elevation. Both the front and the also attractive, albeit more recessive, rear extension are visible from the street and contribute to the street scene.</p>		



The Town Council have now viewed the amended information but its comments as below still apply.

The proposal would remove both of these original features of the house and replace them with a wider modern white render and zinc roofed structure that would wrap around the whole of the length of the west elevation and the north elevation. Because of its size, design, detailing, and materials, this extension would be unsympathetic to the existing building, out of character, over dominating, and harmful to this undesignated heritage asset and the street scape. Indeed, the proposed extension is reminiscent of a development singled out in the Character Area Appraisal as an example of unsympathetic design – see Figure 19 Field Stile Road.

The addition of a large dormer to the rear elevation in order to enlarge and add additional light to the attic room would intensify over-looking into the gardens and windows of the neighbour to the rear on North Road. We note the concerns of the Thompson family who live immediately behind No. 80 about the proposed raised verandah's impact on their privacy.

We believe that this extension does not achieve what the case officer advised 'pre-app': "Overall, the principle of the extensions shown is considered to be acceptable providing this is done in *a modest and respectful way to retain the architectural character of the existing dwelling. The extent of overlooking from a rear dormer will be a consideration*".

The building acquires a degree of protection under the NP Character Area Appraisal as a non-designated heritage asset. We note that the Conservation Area Appraisal Consultation will have ended by the time that this application is decided and could therefore be given some weight. The draft Conservation Area Appraisal locally lists 84 Pier Avenue and the Conservation Area is extended to include this part of Pier Avenue.

However, even if no account is taken of the draft Conservation Area Appraisal, this application should be refused under the Local Plan's design policy and Southwold Neighbourhood Plan Policy

SWD6-Design. The latter, set out below, REQUIRES refusal if any of the criteria set out in A – E are not met. This design fails to achieve criteria A – D.

POLICY SWD6 - DESIGN
<p>In order to create high quality buildings and places that are beautiful and enduring, development proposals should be informed by the National Design Guide as appropriate to their scale nature and location and respond positively to its principles.</p> <p>All planning applications should demonstrate, either through the Design and Access Statement where this is required or through sufficiently detailed plans and documents, that they have:</p> <ul style="list-style-type: none"> A. understood and followed the process for creating high quality design set out in the National Design Guide; B. understood and proposed design that is sympathetic to and in keeping with the best of the prevailing local character area; C. maximized the opportunities to improve the quality of design; D. positively addressed the Recurrent Design Issues and area-specific Sensitivities and Susceptibilities identified in the Southwold Character Area Appraisal (SCAA) and reinstated character where the SCAA identifies opportunities for this; and E. where relevant, addressed heritage management issues identified in the Southwold Conservation Area Appraisal. <p>Development proposals which do not demonstrate their compliance with the design principles A – E above will not be supported.</p>

Comments from other consultees on original proposal (now superseded)

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	9 March 2023
Summary of comments: Object to the application.		

5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 2 March 2023

Expiry date: 23 March 2023

6. Planning policy

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

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

7. Third Party Representations

- 7.1 Six neighbour representations have been received, objecting to this proposed application. One neighbour representation has been received, asking questions but not objecting or supporting the application.
- 7.2 The grounds of the objections relate to overlooking/privacy concerns and particularly issues with the proposed dormer and terrace area.

8. Planning Considerations

- 8.1 The proposal seeks a single storey side extension with a lean-to roof, which will join the single storey flat roof extension which features two skylights. The proposed single storey side extension has been amended by the agent following comments from local planning authority regarding its proposed design. The proposed design will now feature a lean-to roof with lower eaves and be set back from the main front of the property to appear visually recessive and better related to the properties existing character. The proposed side extensions lean-to roof although tall in overall ridge height, will appear visually recessive to the large scale of the property and will not result in additional visual impact to the wider street scene, which was a concern on the original plans that were submitted.
- 8.2 The proposed single storey flat roof extension is located to the rear, extending the full width of the rear elevation and off the back of the proposed side extension. The proposed design is more contemporary and with a flat roof extension will be different to the existing design of the property however it is located to the rear, where it is not overly visible and will not have an associated impact upon the character of the street scene. The use of materials is considered to be acceptable.
- 8.3 The proposal will also extend the existing terraced raised area to the rear further towards the rear boundary, combined with railings. The existing dwelling features a small, raised terrace area but the proposal would look to extend this across the whole rear elevation. The proposed terrace is 1.2m from ground level which reduces significantly from the front of the property. The potential for overlooking to the adjoining neighbouring property does already exist with the existing raised terrace area. This proposal would just look to extend this area to the west towards the other adjacent neighbouring property which is substantially set back and therefore the terrace would not extend past the majority of the neighbouring property. The proposed terrace extension would be closer to the rear adjacent neighbouring property due to the rear extension, however as mentioned previously, the existing raised terrace area already offers some potential impact. The proposed new terrace area would still be located a significant distance from the rear boundary, and the rear elevation and private amenity area of the rear adjacent neighbouring property, which is noted to have a large amenity area as existing. The proposed terrace area is not considered to cause additional adverse overlooking or privacy concerns.

- 8.4 The proposed works will involve a new rear facing dormer, the proposed design of the dormer is matching to that of the existing side dormer also located within the roof slope. The dormer is located centrally, set down from the ridge and suitably above the eaves, the use of materials on the dormer are considered acceptable. The proposed dormer will face directly to the rear, the proposed dormer is considered to be located a sufficient distance from the rear facing neighbouring property and the adjacent neighbouring properties to the side, that adverse overlooking or privacy concerns would not be relevant as the first floor windows look in this direction as existing and the distance would be significant enough to not warrant adverse impact.
- 8.5 The proposal will not impact the existing parking arrangements to the front of the property, sufficient parking space for the property will be retained and the access is not affected.

9. Conclusion

- 9.1 Overall, the proposed works set out within the application have now been amended to a point that the local planning authority can support the scheme. The proposed design of the side and rear is acceptable and meets local planning policies W8.29, neighbourhood plan policies SWD6, SWD7 and the NPPF.

10. Recommendation

- 10.1 Approve.

11. Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/drawings: Site Plan, Block Plan received 22 February 2023 and drawing nos. 013, 014, 015 and 016 received 23/5/2023.

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

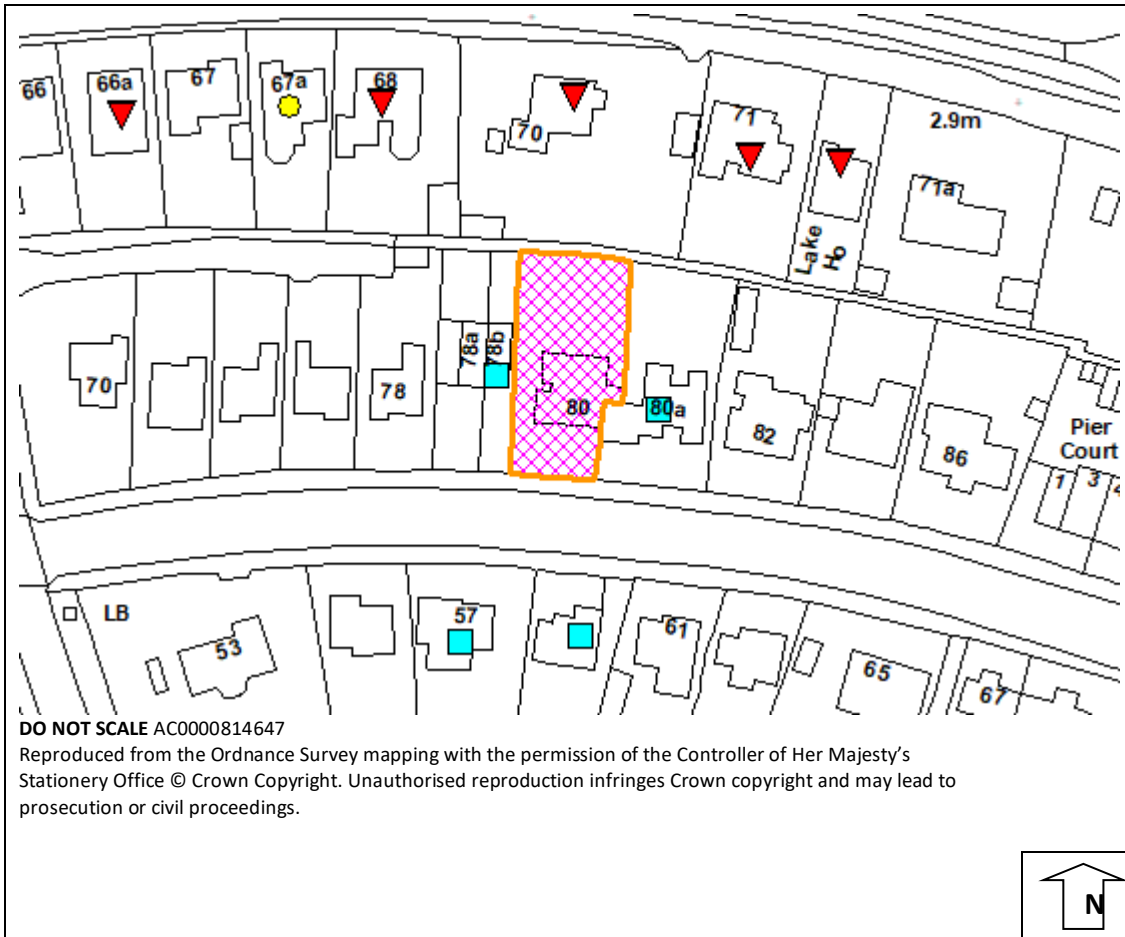
3. The materials and finishes shall be as indicated within the submitted application and approved plans unless otherwise approved in writing by the Local Planning Authority.

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





12. Background Papers

- 12.1 See application reference DC/23/0701/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 8 August 2023

Application no DC/22/3700/FUL

Location

The Old School
Toad Row
Henstead
Beccles
Suffolk
NR34 7LG

Expiry date 29 November 2022

Application type Full Application

Applicant Mr Joss Mullet

Parish Henstead With Hulver Street

Proposal Construction of new dwelling

Case Officer Iain Robertson
07827 956946
iain.robertson@eastsuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the construction of a dwelling adjacent to Old School House, accessed from Toad Row, Henstead.
- 1.2. The proposal has been amended during the application process from the original proposal which proposed access from Benacre Road; the proposed dwelling has also been reduced in scale. The proposal is considered to be acceptable in highway safety terms and relates better to the adjacent properties, without detriment to neighbour amenity.
- 1.3. The application is presented to members as the applicant is a member of East Suffolk Council Staff, which automatically triggers referral to Planning Committee.
- 1.4. The Officer recommendation is for Approval of Planning Permission.

2. Site Description

- 2.1. The site is situated within the rural settlement of Henstead. Henstead does not benefit from a settlement boundary and is therefore considered to be in the countryside for planning policy purposes. The site is situated within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).
- 2.2. The site is situated adjacent to Old School House, a semi-detached property of traditional character. The property is neither listed nor a Non-Designated Heritage Asset. To the east of the site is a vacant piece of land.
- 2.3. The site is situated in the side garden of Old School House between it and the vacant land to the east.
- 2.4. Planning permission was previously refused on this site Ref: DC/19/2652/FUL; those matters are considered to have been overcome with this current application.

3. Proposal

- 3.1. The proposal is for a two storey 3/4-bedroom property of brick and tile construction with shared access from Toad Row with the host dwelling.

4. Third Party Representations

- 4.1. Three objections have been received with the following comments:
 - Object to the access from Benacre Road
 - Overdevelopment of side garden
 - No services or facilities
 - Access on to Toad Row would cause conflict with the school car park and add to the traffic at school times.
 - Why have NE not been consulted as it is an AONB?
 - No real difference between this and DC/19/2652/FUL - previously refused.
 - Surface water flooding problem from school car park.
 - Would affect view/outlook from corner cottage, proposed balcony would allow overlooking.
 - Query traffic figures on survey results.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Henstead With Hulver Street Parish Council	15 March 2023	2 April 2023
Summary of comments:		

Henstead with Hulver Street Parish Council has no objections to the revised drawings for this planning application

Consultee	Date consulted	Date reply received
Henstead With Hulver Street Parish Council	6 October 2022	14 November 2022

Summary of comments:

The Parish Council has no objection in principle to this application but has serious reservations about the position of the access and egress to the site.

In the opinion of the Council this area of Benacre Road is on a bend, is very narrow and has a significant number of daily traffic movements. Benacre Road is a link between the A12 and the B1127 through Hulver to Beccles.

The Parish Council commissioned a traffic survey in 2019 the results of which clearly show the number and speed of traffic movements through Hulver Street, Church Road Henstead and Toad Road. It is the opinion of the Council that traffic through Henstead has increased since this survey was carried out and that traffic speed has also increased.

The Council considers that before this application is considered a full traffic survey be undertaken to gauge the safety of adding another access way at the location of this dwelling. By comparing traffic movement on Benacre Road and Toad Road Council is of the opinion that relocating the entrance to the proposed site is much safer than approving the access specified on the previous application.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	6 October 2022	11 October 2022

Summary of comments:

No objection subject to conditions

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	6 October 2022	4 November 2022

Summary of comments:

No objection - conditions required

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	6 October 2022	28 October 2022
Summary of comments: Internal comments included in main report		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	6 October 2022	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	6 October 2022	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	17 October 2022
Summary of comments: General advice relating to access, firefighting facilities, water supplies and sprinkler systems.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	15 March 2023	No response
Summary of comments: No formal comment - Verbal discussion.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	6 October 2022	21 October 2022
Summary of comments: No objection – Condition required relating to nesting birds and RAMS contribution.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	22 March 2023	3 April 2023

Summary of comments:

I am satisfied that the proposed access can be created without any adverse impact to the existing trees within the frontage of the property (Yew, Blackthorn & Holly). There is no foreseeable significant adverse impact on the local landscape amenity from the creation of the impact. I recommend that should planning consent be granted we should require details of tree protection measures to comply with BS5837:2012. This is necessary to protect retained trees on site during the construction period to ensure that they continue to contribute to local landscape amenity.

Consultee	Date consulted	Date reply received
SCC Highways Department	30 May 2023	20 June 2023

Summary of comments:

No objection subject to conditions.

6. Publicity

General Site Notice

Reason for site notice:

New Dwelling

Date posted: 21 October 2022

Expiry date: 11 November 2022

7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”*.
- 7.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 7.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP7.1 - Rural Settlement Hierarchy and Housing Growth

- WLP8.7 - Small Scale Residential Development in the Countryside
- WLP8.21 - Sustainable Transport
- WLP8.28 - Sustainable Construction
- WLP8.29 - Design
- WLP8.34 - Biodiversity and Geodiversity
- WLP8.35 - Landscape Character

7.4. Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document (East Suffolk Council, Adopted November 2022)

8. Planning Considerations

Principle

- 8.1. Policy WLP1.2 defines settlement boundaries and restricts the development of new residential, employment and retail use outside of settlement boundaries.
- 8.2. The site is situated outside of settlement boundaries and is therefore within the Countryside for planning policy purposes.
- 8.3. Policy WLP7.1 - "Rural Settlement Hierarchy and Housing Growth" highlights the larger and smaller villages in the district that benefit from a settlement boundary of which Henstead does not fall within.
- 8.4. Policy WLP7.1 states that approximately 10% of the District's housing growth will take place in the rural areas.
- 8.5. Approximately 70% of new housing development in the rural areas will be in the larger villages, 20% in the smaller villages and 10% elsewhere in other rural settlements in the Countryside. The development requirements in the larger and smaller villages in the rural area will be delivered through site allocations in this Local Plan.
- 8.6. The development requirements elsewhere in other rural settlements in the Countryside such as Henstead and other smaller settlements will come forward through Neighbourhood Plans and windfall sites in accordance with Policies WLP8.6, WLP8.7, WLP8.8 and WLP8.11 of this Local Plan.
- 8.7. In this case Policy WLP8.7 "Small Scale Residential Development in the Countryside" is of most relevance, the criteria of which need to be read in conjunction with the "Housing in Clusters and Small Scale Residential Development in the Countryside" Supplementary Planning Document.
- 8.8. Policy WLP8.7 permits small scale residential development in the Countryside of up to three dwellings where the following criteria:
 - The site constitutes a clearly identifiable gap within a built up area of a settlement within the Countryside;
 - There are existing residential properties on two sides of the site; and
 - The development does not extend further into the undeveloped Countryside than the existing extent of the built up area surrounding the site.

- 8.9. For all small scale development in the Countryside the design of the scheme will need to respect and reflect the character of the settlement and existing built up frontage including:
- Housing density is reflective of the density in the village and surrounding built up area; and
 - The ratio of the building footprint to the plot area is consistent with existing properties nearby which characterise the village.
- 8.10. The accompanying SPD was developed to aid implementation of Policy WLP8.7 and SCLP5.4 in the former Suffolk Coastal Area.
- 8.11. Firstly, consideration is required to be given to whether the site is within a settlement. Although Henstead does not benefit from a settlement boundary, when considered against illustration 1 and 2 within the SPD, Henstead is considered to be a settlement.
- 8.12. It is considered that the side garden of this property does form part of an identifiable gap within a built-up area of a settlement. The site also benefits from development being on at least two sides, including the host dwelling and the properties to the south on Benacre Road. Furthermore, the site does not extend further into the countryside as it is confined by the garden curtilage.
- 8.13. Therefore, it is considered that the principle of development can be supported subject to compliance with other policies of the Local Plan and NPPF.

Sustainability of Location

- 8.14. It is acknowledged that this site has limited connections with everyday services and facilities through sustainable transport means. However policy WLP7.1 seeks to enable small scale development in limited circumstances as highlighted by this policy. Furthermore, paragraph 105 of the NPPF acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 8.15. Cycle storage provision and EV charging will be required and therefore sustainable transport methods have been incorporated where possible in accordance with Policy WLP8.21 and the NPPF.

Highways

- 8.16. The initial proposal was for access to the site from Benacre Road. Although there was no objection to this proposal from SCC Highways Authority, the Parish Council recommended refusal of the application due to serious reservations about the position of the access and egress to the site due to the characteristics of the road and daily traffic movements. This objection was on the basis of a traffic survey from 2019 which was commissioned by the Parish Council; in their view traffic speeds have increased since then as well as the volume of traffic.

- 8.17. Officers had other concerns with the access being from the rear relating to the layout of the site being 'back-to-front' and the impact on the character of the area from creating further accesses onto this section of Benacre Road.
- 8.18. In 2019 a planning application was refused for a similar proposal to this, Ref: DC/19/2652/FUL. In that case, the visibility splays did not meet standard requirements for a 30mph speed limit. A speed survey was suggested; this was not provided and the application was refused.
- 8.19. Following feedback, consideration was given by the applicant to revert to access from Toad Row rather than Benacre Road. A speed survey was then commissioned to evidence the actual speed of traffic along Toad Row.
- 8.20. The speed survey provided demonstrated lower speeds than the 30mph speed limit and reduced splays were proposed; this has been accepted by SCC Highways Authority. This has also resulted in the removal of the objection to this proposal from the Parish Council.
- 8.21. It is noted that this has generated other neighbour comments which suggests that consideration has not been given to increased traffic on Toad Row in relation to the school which is said to become very congested at drop off and pick up time.
- 8.22. Notwithstanding this the visibility splays are considered to be acceptable based on the traffic survey data. It should also be noted that this proposed shared access would provide a better access to the existing property than currently exists. Although there would be some increase in intensity from an additional dwelling this in itself is not considered to result in an unacceptable impact on highway safety.
- 8.23. It is therefore considered that safe and suitable access can be gained from Toad Row without having an unacceptable risk to highway safety as required by Paragraph 111 of the NPPF.

Design/Layout

- 8.24. The provision of access from Toad Row has resulted in amendments to the proposal, showing the property fronting Toad Row and being orientated level with the adjacent property with a reduced projecting element.
- 8.25. Policy WLP8.29 requires development proposal to demonstrate high quality design which reflects local distinctiveness, demonstrating a clear understanding of the form and character of the built, historic and natural environment whilst responding to local context and the form of surrounding buildings.
- 8.26. The design criteria of Policy WLP8.7 are shown below.
 - Housing density is reflective of the density in the village and surrounding built up area; and
 - The ratio of the building footprint to the plot area is consistent with existing properties nearby which characterise the village.

- 8.27. There is a variety of plot sizes and building scale within the vicinity. Although the plot width is narrow it is considered that the density of development is reflective of that in the surrounding area and that the building footprint is consistent with nearby properties. The form and design of the property is of traditional character with similar gable widths to vernacular properties in the area, exact materials would be agreed by condition but details within the application show red stock bricks clay pantiles and some timber effect boarding and parapet detail to the gables.
- 8.28. The amended proposal is considered to be of an acceptable design in accordance with the aims of Policy WLP8.29, WLP8.7 and the NPPF.

Ecology

- 8.29. Based on the information available the application site appears to contain habitat which is potentially suitable for nesting birds, and which may be impacted by the proposed development. It is therefore recommended that a condition be used to highlight that no removal of potential habitat for nesting birds should take place within the bird nesting season.
- 8.30. In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Benacre to Easton Bavents SPA and Minsmere-Walberswick SPA/SAC/Ramsar 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. The RAMS payment has been secured.
- 8.31. The proposal therefore accords with the aims of Policy WLP8.34.

Trees/landscape

- 8.32. Officers are satisfied that the proposed access to Toad Row can be created without any adverse impact to the existing trees within the frontage of the property (Yew, Blackthorn & Holly). There is no foreseeable significant adverse impact on the local landscape amenity from the creation of the access.
- 8.33. It is recommended that should planning consent be granted details of tree protection measures be provided in compliance with BS5837:2012. This is necessary to protect retained trees on site during the construction period to ensure that they continue to contribute to local landscape amenity.
- 8.34. It is not considered that the proposed dwelling would have any adverse impact on the Suffolk Coast and Heaths AONB.
- 8.35. The proposal is considered to be accord with Policy WLP8.35 and paragraph 176 of the NPPF which gives great weight to conserving landscape and the scenic beauty of Areas of Outstanding Natural Beauty.

Conclusion

- 8.36. In conclusion, the proposal would provide a single residential dwelling which accords with Policy WLP8.7 and the supporting SPD "Housing in Clusters and Small Scale Residential Development in the Countryside", which seeks to deliver limited housing growth in rural settlements/clusters that do not benefit from settlement boundaries in accordance with the aims of Policy WLP7.1 "Rural Settlement Hierarchy and Housing Growth".
- 8.37. The proposal has been amended during the course of the application to address design concerns with a revised access, which satisfies the original concerns of the Parish Council and is also acceptable to the Highways Authority.
- 8.38. The design and scale of the proposal is considered suitable, which would not result in harm to the amenities of surrounding occupiers and thereby in accordance with policy WLP8.29 of the Local Plan.
- 8.39. The appropriate RAMS contribution has been received, of which the measures to protect nearby European protected sites from the in-combination effect of new residential development are set out within the RAMS Strategy and accompanying SPD.
- 8.40. The proposal is considered to accord with the Policies of the Local Plan and NPPF. Furthermore, there are minor benefits arising from the scheme in terms of the social benefits of the provision of a single dwelling and economic benefit from construction, which weigh in favour of the application also.

9. Recommendation

- 9.1. Approve subject to conditions.

10. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. AB100a, AB103d; Received 14 March 2023 and Drawing No. AB102g; Received 30 March 2023 and AB101s; Received 19 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. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences on the dwelling. Development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory external appearance of the development.

4. Before the access is first used visibility splays shall be provided as shown on Drawing No. AB101r with an X dimension of 2 metres and a Y dimension of 21 metres in the West direction and 32 metres in the East direction to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

5. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM01 with an entrance width of 4.5 metres for a shared 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. The use shall not commence until the infrastructure within the site shown on Drawing No. AB101s for the purposes of preventing surface water falling onto the highway and it being discharged appropriately within the site has been provided and thereafter the infrastructure shall be retained, maintained, and used for no other purposes.

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

7. The use shall not commence until the area(s) within the site shown on Drawing No. AB101s 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).

Note: As per Suffolk Guidance for Parking (2019), ducting and a suitable consumer unit to allow for the installation of one EV charging unit should be provided per Class C3 dwelling.

9. 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.

10. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.

11. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of 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.

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

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

14. Prior to first occupation the bathroom window on the eastern elevation at first floor level shall be glazed with obscure glass, and shall be retained in that condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

Informatives:

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

Suffolk County Council must be contacted on Tel: 0345 606 6171.

For further information, go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>

or;

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

Suffolk County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

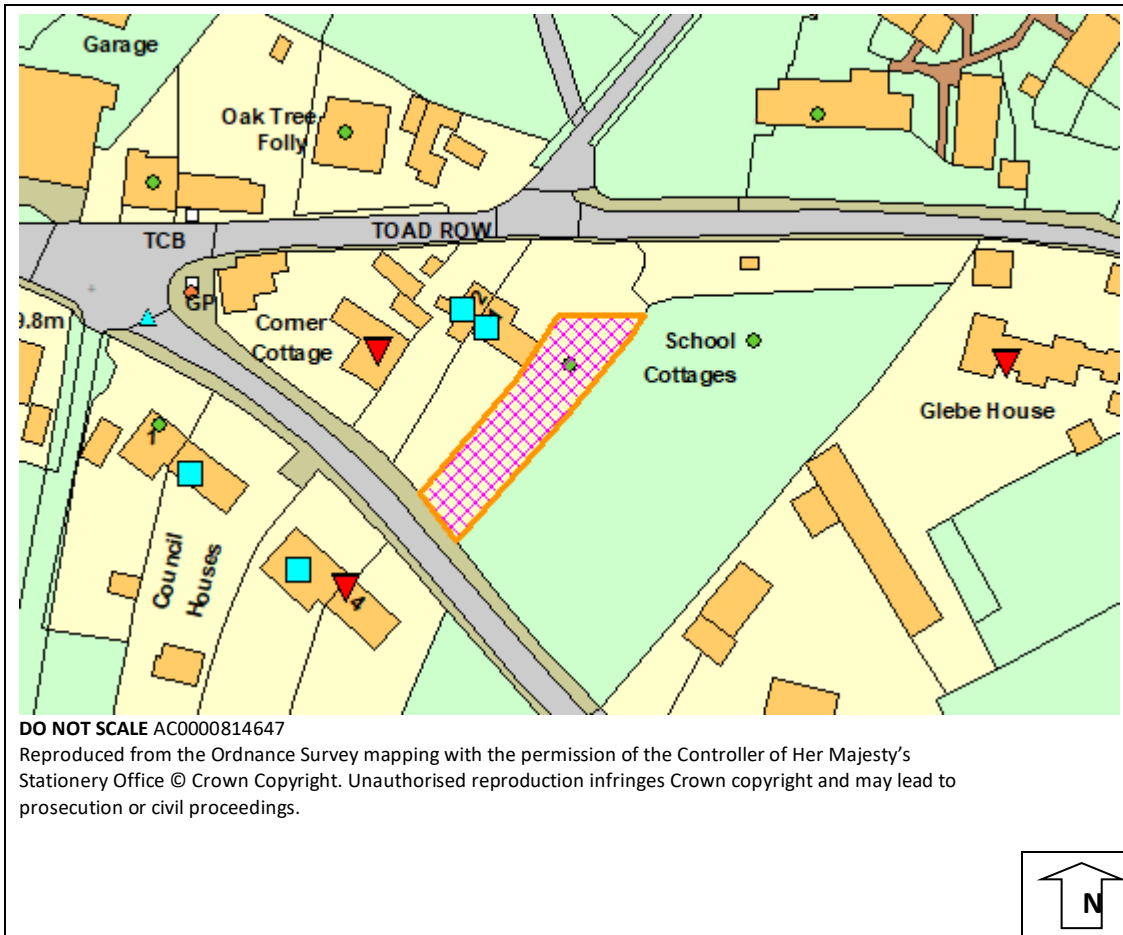
2. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan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

3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk





Background information

See application reference DC/22/3700/FUL on [Public Access](#)

Map



Key

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