

**Confirmed**



Minutes of a meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 28 November 2023 at 2.00pm.**

**Members of the Committee present:**

Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Katie Graham, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mike Ninnmey, Councillor Mark Packard

**Other Members present:**

Councillor Peter Byatt, Councillor Sally Noble

**Officers present:**

Louise Burns (Environmental Health Officer), Nick Clow (Assistant Planner), Matt Makin (Democratic Services Officer (Regulatory)), Agnes Ogundiran (Conservative Political Group Support Officer), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Rosie Smithson; Councillor Peter Byatt attended as her substitute.

**2 Declarations of Interest**

No declarations of interest were made.

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

Councillor Ninnmey declared that he had been present at a meeting of Levington and Stratton Hall Parish Council on 27 November 2023, where the application being considered at item 9 of the agenda was discussed; Councillor Ninnmey advised that he did not take part in any discussions or respond to any comments on the application.

**4 Minutes**

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

## **RESOLVED**

That the minutes of the meeting held on 24 October 2023 be agreed as a correct record and signed by the Chair.

### **5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/1745** of the Head of Planning and Coastal Management, which gave 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 October 2023. At that time there were 19 such cases.

The Chair invited the Assistant Enforcement Officer (Development Management) to comment on the report. The Committee was advised of two updates since the report's publication:

- case A.1 (141 Kirton Road, Trimley St Martin) - a site visit had confirmed that compliance was underway and a second site visit would be completed to ensure compliance was achieved.
- case A.3 (21 Mill View Close, Woodbridge) - a site visit had confirmed that compliance had been achieved and the case would be closed.

There were no questions to the officers.

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

## **RESOLVED**

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

### **6 DC/22/1351/FUL - Butley Priory, Abbey Road, Butley, IP12 3NR**

The Committee received report **ES/1746** of the Head of Planning and Coastal Management, which related to planning application DC/22/1351/FUL. The application sought full planning permission for the continued use of Butley Priory as a wedding venue and holiday accommodation.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management given the scale of development cumulatively with proposals at Butley Abbey Farm. It was noted that applications relating to Butley Abbey Farm and in connection with the operation of the venue were also on the agenda to be considered by the Committee.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The site's location was outlined and the Principal Planner highlighted that Butley Priory was a Grade I listed building which had previously benefitted from temporary planning permissions to operate as a wedding venue; the most recent permission had expired in 2018 and the site had continued to operate without consent.

The Principal Planner noted the proximity of a group of buildings, Butley Abbey Farm, to the south of the application site, also in the ownership of the applicant, which related to two other applications on the meeting agenda. The Committee was advised that the proposals of all three applications were linked. An aerial photograph of the site was displayed which demonstrated its relationship to the Butley Abbey Farm application site.

The Committee received photographs demonstrating views of Butley Priory from the front and rear. The Principal Planner highlighted the use of a marquee on the front lawn for events and outlined the objection from Environmental Health due to noise; the Committee was advised that on balance, Planning officers were in favour of the proposal.

The Principal Planner displayed a plan demonstrating land in the applicant's ownership in context to the application site; it was noted that the nearest residential properties not owned by the applicant were located 500 metres from the application site.

The Committee was advised that Environmental Health had responded to several noise complaints in the past and after investigation had concluded there was not a statutory noise nuisance, but that sound from the site was audible at the residential properties.

The material planning considerations and key issues were summarised as the principle of use, heritage, and noise and disturbance in relation to the tranquillity of the Area of Outstanding Natural Beauty (AONB) and residential amenity.

The recommendation to approve the application was set out and the Principal Planner summarised the proposed conditions; the Committee was informed that the seven-year restriction on the use of a marquee was proposed as it was the applicant's intention to relocate this element of events to the buildings at Butley Abbey Farm as part of the proposals for that site.

The Chair invited questions to the officers. Councillor Deacon made queries regarding the difference between the proposals and the temporary permissions, the employment that would be created, and the distance of the site from Butley village.

The Principal Planner advised that the site was south of the village by approximately one mile. The Committee was informed that the key difference from the temporary permissions was the restriction on marquee use, and that employment on the site was expected to be broadly similar as now, given Butley Priory had continued to operate as an events venue on the expiry of the most recent temporary permission in 2018.

Councillor Daly asked for an indication of the type of events held at the site. The Committee was advised that the majority of events were weddings and that the building could also be used as a holiday let. The Principal Planner explained that there was no limit on the types of events that could be hosted; wedding events included receptions and incorporated live entertainment.

The Chair invited Edward Greenwell, the applicant, to address the Committee. Mr Greenwell was accompanied by Phil Branton, architect, and Donna Stockley, the

General Manager of Butley Priory, who were present to assist with any questions from the Committee.

Mr Greenwell highlighted the historic significance of the site and explained that to afford the considerable expense to preserve Butley Priory, a revenue use of the building was required. Mr Greenwell said that this and the associated planning applications on the agenda were part of developing this revenue element.

Mr Greenwell acknowledged that the main concern was noise disturbance and said that since submitting the application, acoustic assessments had been carried out during live events to minimise this disturbance and noise limits had been agreed. Mr Greenwell advised the Committee that proposed conditions had been agreed to, including the General Manager monitoring sound levels on a defined route.

Mr Greenwell confirmed that should the barn conversion proposed in the associated applications be completed, this would remove the need for a marquee on the front lawn for wedding receptions. Mr Greenwell asked the Committee to support the recommendation of officers to approve the application.

The Chair invited questions to Mr Greenwell. In response to Councillor Daly's earlier question, Mr Greenwell advised that the majority of events at the site were weddings, but that the site had also hosted wakes, private parties, and charity events.

Councillor Byatt asked about the history of complaints in relation to events at the site. Mr Greenwell replied that he had taken over the site in 2020 when the previous operator had gone bust and had been assured that there had been no complaints before that time.

Mr Greenwell confirmed to the Committee that he intended to move the reception events from a marquee to the refectory barn if/when this was converted, and had agreed to the seven-year marquee condition as a result.

In response to Councillor Graham, Ms Stockley said that the venue communicated with residents when there would be live and/or amplified music outdoors and strove to ensure live elements concluded at 11pm. Ms Stockley said a noise management plan was in place and that sound levels were monitored in real time, with the manager driving a circular route around neighbouring properties to monitor at various points, taking action to reduce noise where necessary.

Councillor McCallum asked the officers if the noise issues were a material planning consideration or a licensing issue; the Principal Planner highlighted the concerns raised by Environmental Health in respect of noise and that the Committee needed to consider the impact of noise on disturbance to residential properties approximately 12 evenings a year.

Mr Greenwell confirmed to Councillor McCallum that Butley village was 1.2 miles north of the site and that the venue currently employed five full-time equivalent posts, plus caterers on an ad hoc basis. Mr Greenwell said that the business had paid out £200,000 in salaries in the last year and added that there was no immediate plan to expand employment at the site.

In response to Councillor Byatt, Ms Stockley advised that in most instances, guests would depart the site within 30 minutes of the end of an event. Councillor Ninnmey asked about the possibility of "silent discos" on the site and Ms Stockley said that this was something the venue would consider if clients wanted it.

The Chair invited the Committee to debate the application that was before it. Councillor Daly said he was very familiar with the site, living nearby and having attended events at the venue in the past, and considered the site was the perfect setting for the type of events it hosted. Councillor Daly was supportive of the application, highlighting the distance between the site and the nearest residential dwellings and noted existing noise disturbance from the arable farming activity in the area.

Several members of the Committee concurred with Councillor Daly's comments, highlighting the economic benefits of the site and commenting that noise issues could be addressed through Environmental Health. Councillor Deacon expressed that he had held misgivings about the application prior to the meeting but that information shared at the meeting had allayed his concerns and he was in support of the proposals.

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 Daly, seconded by Councillor McCallum, it was by a unanimous vote

## **RESOLVED**

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

1. The development hereby permitted shall be carried out in all respects strictly in accordance with Site Plan LP\_10A received 13 October 2023, Noise Report dated 14 June 2023, Noise Management Plan received 29 June 2023, Highways Technical Note received 22 December 2022 and floor plans received 5 April 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.

2. There shall be no amplified music (live or recorded) and/or amplified speech (or singing) on the application site from outside of the Priory building itself after 9.00pm except for on a maximum of 12 occasions per calendar year.

There shall be no amplified music after 9.00pm from outside of the Priory building after seven years from the date of this permission.

Any amplified music from outside of the Priory building itself shall be limited to a maximum of 75dB at source with the exception of the aforementioned 12 occasions per calendar year when amplified music from outside of the Prior must not exceed 95dB.

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

3. No events and/or weddings shall be carried out on site other than between the hours of 0900 and 01.00 the following day.

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

4. There shall be no more than 200 persons attending any wedding and/or event on the application site for seven years from the date of this permission. After seven years from the date of this permission, there shall be no more than 100 persons attending any wedding and/or event on the application site.

Reason: In the interests of amenity and the protection of the local environment to also consider the cumulative impact of events at neighbouring Butley Abbey farm.

5. There shall be a maximum of one event marquee on the site at any one time for a maximum of 84 days in any calendar year. The site owners shall keep a log of all dates a marquee is erected on site which shall be made available to the local planning authority on request.

Reason: In the interests of amenity and the preservation of the setting of the Listed Building.

6. All event management to be carried out in accordance with the Noise Management Plan received 29 June 2023.

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

7. The only residential occupation of Butley Priory shall be for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of the holiday home shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

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 Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and in the interests of residential amenity.

Informative:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the

objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

## **7 DC/20/5260/FUL - Butley Abbey Farm, Abbey Farm Lane, Butley, IP12 3NP**

The Committee received report **ES/1747** of the Head of Planning and Coastal Management, which related to planning application DC/20/5260/FUL. The application sought full planning permission to convert a number of farm buildings at Butley Abbey Farm to be used as an events venue and holiday accommodation in connection with the existing venue at Butley Priory to the north of the application site.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management given the local interest in the application and the scale of the development relative to its location; Butley, Capel St Andrew and Wantisden Parish Council and the ward member had both objected to the application.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. It was noted that an associated listed building consent application for the development was also on the agenda to be considered by the Committee, and that an application relating to the use of Butley Priory as an events venue following the expiration of previous planning permissions had been considered and approved earlier in the meeting.

The site's location was outlined; the Principal Planner explained that the irregular "red line" for the site related to a footpath that links the site to the adjacent Butley Priory to the north. The farmhouse relating to Butley Abbey Farm was noted as being adjacent to the application site and outside the scope of the proposals.

The Committee was shown photographs of the site demonstrating views of the access from the highway, looking within the site towards existing farm buildings, looking back towards Butley Priory, the proposed car park location, towards the adjacent farmhouse, and modern farm buildings proposed to be demolished. The Committee also received photos demonstrating views of the proposed office location, the refectory barn, another barn proposed for demolition, and wider views of the site.

The Principal Planner explained that the Highways Authority had suggested a bus stop at the entrance to the site; officers had considered this was not a reasonable request given the likely timing of events of the site meant that using public transport would not be practical.

The proposed site layout and phasing plans were displayed to the Committee. The Principal Planner identified the buildings proposed to be demolished; these were modern farm buildings of no historic value and officers considered their removal would enhance the area.

The Committee received the demolition plan and images of the buildings proposed for demolition. The Principal Planner provided the proposed floor plans for the refectory barn, and the proposed elevations and floor plans for the holiday lets and the stables. The Committee was also shown computer-generated images of the

development. The recommendation to approve the application was outlined to the Committee.

There being no questions to the officers, the Chair invited Edward Greenwell, the applicant, to address the Committee. Mr Greenwell was accompanied by Phil Branton, architect, and Donna Stockley, the General Manager of Butley Priory, who were on hand to assist with any questions from the Committee.

Mr Greenwell noted that the application site was originally the centre of a much larger farm and a lot of the modern farm buildings, previously used for pigs, were no longer in use. Mr Greenwell said the proposals would demolish half the buildings on the site, including all the modern buildings, and restore the historic ones.

Mr Greenwell acknowledged the concerns raised about the impact on heritage assets and increased traffic but was satisfied all issues had been sufficiently addressed; Mr Greenwell said that traffic would arrive at the site via Woodbridge Road where there was no housing for five kilometres.

Mr Greenwell noted that the refectory barn, which would be used for events, had very thick walls and would contain noise very well. The Committee was advised that archaeological surveys had been completed in 2021 and remains would be looked out for when any digging took place during development. Mr Greenwell reiterated his earlier comments about the venue's contribution to the local economy and sought the Committee's approval of the application.

The Chair invited questions to Mr Greenwell. In response to a query from Councillor Daly on the displacement of bats, Mr Branton advised that all relevant surveys had been undertaken and that the development would adhere to the proposed conditions to take appropriate mitigation measures.

Councillor Hedgley asked for Mr Greenwell to comment on the Highways Authority's concerns about tractor movements in relation to the site access. Mr Greenwell said that such movements would continue regardless and was of the impression that the Highways Authority had lifted its objection; the Principal Planner was able to confirm this was correct.

Councillor Ninnmey referred to the Parish Council's concerns about access to the site from The Clumps and sought clarity from Mr Greenwell on them. Mr Greenwell said that the recommendation for an increased width was within the site and highlighted that passing places were less important as vehicles would be all leaving and arriving in one direction.

In response to a further query from Councillor Ninnmey, regarding holiday let occupancy periods, Mr Greenwell said that holidaymakers would not be on the site when events were taking place and there would therefore be no traffic conflicts.

Councillor Byatt asked if the development would incorporate elements to move towards net zero; Mr Greenwell said a positive attitude would be taken to do this but noted the limitations on solutions such as solar panels when renovating listed buildings.



The Chair invited the Committee to debate the application that was before it. Members of the Committee expressed disappointment that representatives for objectors and the Parish Council had not attended and spoken at the meeting.

Councillor Byatt said his concerns had been addressed during the meeting and was in favour of the application, noting how it integrated with the application at Butley Priory approved by the Committee earlier in the meeting.

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 Byatt, seconded by Councillor McCallum, it was by a unanimous vote

## **RESOLVED**

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PA\_21, PA\_29, PA\_41, PA\_42, PA\_44, PA\_45, PA\_46, 2001-421-001A and 8301-05, -06, -07, -08 and -09 received 24 December 2020, Ecological Report received 23 March 2021, PA\_24B, PA\_36A, PA\_37A, PA\_38A and noise report received 10 September 2021, 2001-421/TP01 received 24 January 2022, drawing nos. PA-23D, PA-26D, PA-40C, PA-43A, PA-47A and PA-50 received 5 April 2022 and highways technical note dated 13 December 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. No work shall commence on each element referenced below until details of the following have been submitted to and approved in writing by the local planning authority:

- (i) manufacturer's details of the proposed external cladding and roofing materials
- (ii) proposed brick boundary walls and gates
- (iii) section and elevations of the proposed fenestration and doors
- (iv) section drawings through the proposed wall, roof and floor structure of the Refectory Barn and stables to include details of any proposed insulation and internal finishes.
- (v) details of measures incorporated into the design of the Refectory Barn to minimise light spillage
- (vi) detail section drawings through the eaves and verges of the new proposed holiday let building and cart lodge infill.

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

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

4. No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2021).

5. 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 4 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2021).

6. No development shall take place until the role and responsibilities and operations to be overseen by an appropriately competent person (e.g. an ecological clerk of works)

have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a. a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
- b. a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

8. No development shall take place (including any demolition, ground works or site clearance) until a Biodiversity Method Statement for the development has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved and shall be retained in that manner thereafter.

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

9. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants, 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.

10. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, March 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.

11. Prior to first use, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: To ensure that impacts on ecological receptors from external lighting are prevented and also to control lighting to protect the dark skies character of the AONB.

12. If phases 1 to 4 of the development (as per the submitted All Phases of Works drawing ref. PA\_53 A) hereby approved do not commence (or, having commenced, are suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 6 to 11 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement or resumption of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

13. Prior to use of the events centre hereby permitted, a noise management plan shall be submitted to and approved in writing by the local planning authority. The noise management plan should consider all aspects of noise on site including, where applicable, but not restricted to hours of use/noisy activities, frequency of events, indoor amplified music, outdoor music, fireworks and general use of/movement around and entering and leaving the site. Thereafter, the noise management plan shall be implemented no later than first use of the events centre and compliance with it continued thereafter.

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

14. Prior to the commencement of development, full details of all noise mitigation measures to be included within the development shall be submitted to and approved in writing by the local planning authority. All of the agreed mitigation measures shall be carried out in full and retained in their approved form thereafter.

Reason: The noise report suggests that an acceptable noise level at nearby receptors can be achieved with appropriate mitigation and design of the barn however at this stage, recommendations have been made but the exact measures to achieve this have not been included in the report. To ensure these are provided in the interest of amenity and protection of the local environment.

15. 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. PA\_51 within technical note 2001-421/TN01 dated 21 January 2022. 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.

16. The use shall not commence until the areas within the site shown on drawing no.PA\_51 within technical note 2001-421/TN01 dated 21 January 2022 for the purposes of loading, unloading, manoeuvring and parking of vehicles have been provided and thereafter the areas 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.

17. Before the access is first used visibility splays shall be provided as shown on Drawing No.PA\_51 within technical note 2001-421/TN01 dated 21 January 2022 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.

18. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 along with a landscaping implementation phasing plan shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

19. The approved landscaping scheme shall be implemented in accordance with the approved landscaping phasing plan (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

20. Prior to first use of any part of the development hereby permitted, a management plan for maintenance of all external parts of the site (to include, but not be limited to, the access drive, landscaped areas, car parking areas, courtyard spaces etc.) shall have been submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

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

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and

- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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.

22. 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 CLR11.

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.

23. Prior to any occupation or use of the approved development the RMS approved under condition 22 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 ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

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

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

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

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

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

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

26. No events and/or weddings shall be carried out on site other than between the hours of 0900 and 01.00 the following day.

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

27. There shall be no more than 200 persons attending any wedding and/or event on the application site at any one time.



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

28. There shall be no amplified music (live or recorded) and/or amplified speech (or singing) on the application site other than within the events space within the Refectory barn.

Reason: To avoid noise pollution in the locality.

29. There shall be no more than 75 events per annum held within the Refectory barn continuing beyond 9.00pm.

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

30. The holiday letting units hereby permitted shall be used for holiday letting accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation. 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 Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

31. The hereby permitted manager's accommodation shall be occupied by a site manager or employee only and shall not be sold or let separately from the wider use of the site as an events centre with holiday accommodation.

Reason: To help ensure effective management of the site and in the interest of amenity; the application does not indicate how adequate levels of residential amenity may be achieved if the accommodation was not linked to wider use of the site.

32. Prior to occupation of any of the residential accommodation hereby approved, evidence of water efficiency standards shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the finished dwellings comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwellings.

33. Prior to commencement of the hereby approved development, an Energy Statement shall be submitted to and approved in writing by the local planning authority. The identified measures shall be implemented in accordance with the

approved statement, and thereafter be retained and maintained in their approved form.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Planning Policy SCLP9.2.

Informatives:

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

2. The AONB team is working closely with Save Our Suffolk Swifts (SoS Swifts) project. SOS Swifts is a partnership project between the Suffolk Wildlife Trust and The Suffolk Bird group. It is requested that the SOS Swifts project is contacted for advice on the siting and installation of swift boxes and Swift callers which should also be installed to attract the swifts. The project can also advice on Barn Owl Boxes too. Further advice is available from <https://www.suffolkbirdgroup.org/sos-swifts>.

Note: Listed Building Consent may be required if fixing boxes to Listed Buildings.

## **8 DC/20/5261/LBC - Butley Abbey Farm, Abbey Farm Lane, Butley, IP12 3NP**

The Committee received report **ES/1748** of the Head of Planning and Coastal Management, which related to planning application DC/20/5261/LBC. The application sought listed building consent for alterations to buildings at Butley Abbey Farm, including Grade II listed buildings.

The application was before the Committee for determination in connection with the accompanying application for full planning permission, which had been referred to the Committee by the Head of Planning and Coastal Management due to the scale of the proposed development relative to its location, and the level of interest.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The Principal Planner highlighted that the application was for the listed building consent for the alterations approved by the Committee as part of the previous item, and displayed images of the applicable buildings. The recommendation to approve the application was outlined to the Committee.

There being no questions to the officers, the Chair invited Edward Greenwell, the applicant, to address the Committee. Mr Greenwell said he had nothing further to add to his statement for the previous application.

There being no debate on the application, 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 McCallum, seconded by Councillor Hedgley, it was by a unanimous vote

## RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PA\_21, PA\_29, PA\_41, PA\_42, PA\_44, PA\_45, PA\_46, 2001-421-001A and 8301-05, -06, -07, -08 and -09 received 24 December 2020, PA\_24B, PA\_36A, PA\_37A, PA\_38A received 10 September 2021, drawing nos. PA-23D, PA-26D, PA-40C, PA-43A and PA-47A received 5 April 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. Unless otherwise required or detailed within other conditions, the materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

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

(i) manufacturer's details of the proposed external cladding and roofing materials

(ii) proposed brick boundary walls and gates

(iii) section and elevations of the proposed fenestration and doors

(iv) drawings and a schedule of proposed repairs and strengthening works to the Refectory Barn

(v) section drawings through the proposed wall, roof and floor structure of the Refectory Barn and stables to include details of any proposed insulation and internal finishes.

(vi) detail section drawings through the eaves and verges of the new proposed holiday let building and cart lodge infill.

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

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

5. Prior to the commencement of any works to the Refectory Barn, a detailed Historic Building Record shall be made and be deposited with the Suffolk County Council Historic Environment Record. Within one week of this being done, confirmation of this shall be sent, by email, to the local planning authority.

Reason: The significance of this building is considered to be of sufficient merit and quality to be recorded and form part of the public record.

Informative:

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

**NOTE:** the meeting was adjourned following the conclusion of this item (3.08pm) for a short break and was reconvened at 3.15pm.

## **9 DC/23/1138/OUT - Red House Farm, Bridge Road, Levington, IP10 0LZ**

The Committee received report **ES/1749** of the Head of Planning and Coastal Management, which related to planning application DC/23/1138/OUT. The application sought outline planning permission, with all matters reserved except for access, for the residential development of the site for 18 dwellings, including six affordable homes, and associated infrastructure.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management as he had considered it to be significant due to the level of public interest.

The Committee received a presentation from the Planning Manager (Development Management, Major Sites and Infrastructure) on behalf of the case officer for the application. The site's location was outlined and the Committee was made aware that the site was allocated for development under policy SCLP12.56 of the Suffolk Coastal Local Plan (the Local Plan). The Planning Manager highlighted the site's proximity to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (the AONB), residential settlements and an allocated employment site.

The Committee was shown an aerial photograph of the site; the Planning Manager noted the crescent layout of Red House Walk and the linear development surrounding it, along with agricultural structures adjacent to the application site.

The Planning Manager summarised policy SCLP3.2 of the Local Plan, related to settlement hierarchy, and outlined that the policy anticipated that 10% of housing growth between 2018 and 2036 would be delivered in small villages; Levington was designated as a small village as per the policy. The Planning Manager stated that the development represented less than 0.5% of housing growth for the district for the period set out in policy SCLP3.2.

The Planning Manager outlined policy SCLP12.56 of the Local Plan and it was noted that the policy allocated the site for the development of approximately 20 dwellings subject to criteria.

The Committee was shown photographs demonstrating views looking into the site from various angles and along adjacent public highways and a public right of way. The Planning Manager displayed the original and updated indicative site layout plans and outlined the changes made during the course of the application.

The Committee was reminded it that all matters were reserved except for access and that the indicative site layout plan demonstrated how the site could accommodate the development, with all matters except accessed to be determined separate under any reserved matters application.

The Committee was shown an excerpt of the definitive rights of way map, which demonstrated how the site connected to the public rights of way network. The parameters plan was also displayed.

The material planning considerations and key issues were summarised as the principle of development, access and highway matters, design and character of the area, housing mix, landscape character, trees, ecology, residential amenity, flood risk and drainage, land contamination, archaeology, and infrastructure requirements. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited questions to the officers. In response to a query on the non-linear aspect of the indicative site layout, the Planning Manager reiterated that this drawing was to indicate how the proposed development could be accommodated on the site and described it as being predominantly linear, although not uniformly so.

Councillor Ninnmey queried what the density of such a site should be in a rural setting. The Planning Manager advised that the site was allocated for approximately 20 dwellings and what was proposed was under that allocated density, which had been established during the making of the Local Plan. The Planning Manager said that the development was consistent with the character of its surroundings.

In response to a further question from Councillor Ninnmey regarding health provision, the Planning Manager informed the Committee this would be addressed via Community Infrastructure Levy (CIL), adding that officers regularly liaised with the relevant Integrated Care Boards on developments to identify when health facilities required expansion.

In response to questions on the number of self-build plots and vehicle movements, the Planning Manager confirmed that the size of the development did not meet policy criteria to require self-build plots. The Committee was advised that the number of vehicles anticipated was related to the size of the dwellings and that the Local Plan allocation identified that the site could sustain the proposed growth, including the associated traffic impact.

With regard to a query on plot sizes, the Committee was informed that similar size plots to existing dwellings would not be expected and that the proposed plot sizes would provide good garden amenity space for the proposed dwellings.

Councillor Daly questioned if there would be a biodiversity net gain from the site. The Planning Manager advised this was not a policy requirement at this stage but that the Council's ecologist had reviewed the application and was satisfied with it, subject to proposed recommendations for mitigation measures.

Councillor Hedgley asked if officers were content with the flood resilience of the area. The Planning Manager stated that a sustainable urban drainage system (SUDS) basin was proposed to ensure that water run-off was at green field levels. The Planning Manager confirmed to Councillor Deacon that the site's current use was equestrian, with the land divided into paddocks.

Councillor Graham referred to the Parish Council's comments regarding the nearest primary school being full and asked where the next nearest one was. The Planning Manager advised the Committee that officers worked closely with Suffolk County Council in respect of education provision for new developments and noted that two new primary schools in the nearby area, in Brightwell Lakes and Trimley St Martin, were planned for. The Committee was given assurance that officers would continue to regularly review the education provision in the area and look to expand it through development wherever possible.

In response to a follow-up question from Councillor Graham, the Planning Manager said that the school at Brightwell Lakes was anticipated to come online in five years' time and that work to expand existing facilities could happen sooner than that.

Regarding concerns on the local utilities infrastructure being able to absorb the proposed development, the Planning Manager advised that any developer was required to ensure that dwellings connected to the network and would be responsible for financing this. The Planning Manager said he was not aware of any concerns from consultees in that regard.

Councillor Daly asked if alternative fuel and power sources would be considered as part of the development. The Planning Manager summarised the requirements of the current building regulations, which came into effect in June 2023, and confirmed they would be applicable to any development commencing after that period. Officers anticipated that the Future Homes Standard would further raise requirements regarding sustainable construction; the Committee was advised that this particular development to whatever building regulations were in force at the time of commencement.

The Chair invited Councillor John Ross, representing Levington and Stratton Hall Parish Council, to address the Committee. Councillor Ross considered the presentation of the application by officers had been distorted to lead the Committee into approving it. Councillor Ross said that he had chaired a meeting of the Parish Council the previous evening and said that councillors and residents had been aghast that the application was recommended for approval. Councillor Ross advised the Committee

that 70 households in Levington had objected to the proposals, with no letters of support submitted.

Councillor Ross said that the Parish Council did not object to the principle of development on the site but was opposed to the density of homes. Councillor Ross was of the view that the indicative site layout plan demonstrated that the development would be out of character for Levington, an urban development in a rural setting. Councillor Ross suggested that the applicant had not wanted to build as many homes as proposed and had been encouraged to do so by officers. Councillor Ross considered that only the officers were fully supportive of the application.

Councillor Ross pointed out that residents of Levington were dependent on private vehicles to travel and the roads were too narrow for on-street parking, so any development would need to accommodate two cars per household and refuse vehicles accessing the site. Councillor Ross highlighted that the hedgerow proposed for retention no longer existed. The Committee was requested to consider the points of the objectors when determining the application.

The Chair invited questions to Councillor Ross. When asked by Councillor Hedgley what density the Parish Council expected on the site, Councillor Ross said that the layout should be linear of nature and the number of dwellings be fewer than proposed. In response to a follow-up question from Councillor McCallum, Councillor Ross suggested five to six dwellings would be more appropriate for the site.

Councillor Daly queried what the Parish Council's position had been on the allocation site when the Local Plan was being made. Councillor Ross said that the Parish Council had not objected to the principle of development but to the proposed density.

In response to a query from Councillor Ninnmey regarding speed limits, Councillor Ross said the Parish Council would like to see a 20mph speed limit in the area but said it would not be enforceable; he added that traffic calming measures had also been considered but would be impractical as a bus route passed through the area.

Councillor Deacon highlighted that a lower density would attract lower affordable housing and asked Councillor Ross to comment on this. Councillor Ross said that the Parish Council had worked with the former Suffolk Coastal District Council and Nacton in the past on affordable housing and considered that a development in Nacton had served the affordable housing needs of the area.

Councillor Hedgley questioned if Councillor Ross believed that officers would accept a lower density on the site than that which was allocated in the Local Plan. Councillor Ross replied that the views of the Parish Council were based on the proposed development and it considered the indicative information was that the development was too dense and not in keeping with Levington's character, and that existing infrastructure would not support it.

The Chair invited Martin Price, the applicant's agent, to address the Committee. Mr Price referred to the officer's comprehensive report and noted that the application had attracted significant public interest, hence it being presented to the Committee for determination. Mr Prince considered the planning matters to be straightforward and

stated that the planning system was plan-led and decisions must be taken in line with the authority's development plan, unless there were material planning considerations to the contrary.

Mr Price pointed out that the site was allocated in the Local Plan for approximately 20 dwellings and that the making of that plan had included a significant consultation process and a hearing chaired by a planning inspector; he noted that during this process, policy SCLP12.56 had been found to be sound. Mr Price outlined that the proposal was for 18 dwellings, 6 of which would be affordable housing, with all matters except access reserved.

Mr Price said it should be noted that there was an ongoing housing crisis and that national housing targets were regularly not met; he referred to claims that there was sufficient housing in the area and that the development was not needed and considered them to be untrue, citing that the Local Plan's housing targets were a minimum and not a maximum.

Mr Price said that despite the objections of the Parish Council and residents, no technical consultee had objected to the application on any elements that could not be mitigated through either CIL or a reserved matters planning application. Mr Price was confident that any demonstrable harm caused by the development could be satisfactorily mitigated. Mr Price concluded that the development was sustainable and therefore the National Planning Policy Framework's (NPPF) presumption in favour of sustainable development should prevail; he urged the Committee to approve the application.

The Chair invited questions to Mr Price. Councillor McCallum sought clarity on if the applicant had ever sought a lower density on the site. Mr Price said that this was not the case; the applicant had considered a larger number of smaller dwellings however on the advice of officers had amended the scheme to the one before the Committee.

Councillor Ninnmey asked about the provision for private vehicles and residential amenity space. Mr Price said that the indicative layout plan did not necessarily represent the layout that would be proposed at the reserved matters stage and that any future reserved matters planning application would need to be compliant with policy on parking standards and the storage and presentation of bins. Mr Price highlighted that these matters would be determined at the reserved matters stage and were not considerations for this outline planning application.

Councillor Byatt asked that, given the local objections, what number of dwellings was the applicant willing to come down to. Mr Price said he had not discussed this with the applicant and that they did not intend to develop the site themselves but sell the site to a developer whose offer they were willing to accept. Mr Price reiterated that policy SCLP12.56 of the Local Plan demonstrated that the proposed number of houses could be accommodated on the site.

The Chair invited the Planning Manager to address points raised during questions to Mr Price. The Planning Manager explained that policy SCLP12.56 of the Local Plan allocated the site for the development of approximately 20 dwellings and the Committee was required to have regard to the development plan when making its



decisions. The Planning Manager referred to the NPPF's presumption in favour of sustainable development, particularly the efficient use of land and the refusal of proposals that do not efficiently develop land.

The Committee was advised that the density proposed by the Parish Council would be considered inefficient use of the site and the Planning Manager highlighted the current mix of density in Levington and how the indicative site layout related to it. The Planning Manager advised that the proposals related to a site allocated by policy and was considered to be proportionate and well designed, and further details would be addressed at the reserved matters stage.

The Chair invited the Committee to debate the application that was before it. Several members of the Committee spoke in support of the application, highlighting that the site was allocated for development in the Local Plan and that the application was compliant with the number of dwellings set out in the allocation. Members noted that technical consultees had not objected to the application, the need for more housing, and that further detail would be addressed at the reserved matters stage.

Councillor Byatt referenced comments made by Councillor Ross regarding the professionalism of officers and expressed his disappointment that such comments had been made. Councillor Byatt was confident that a suitable result could be achieved at the reserved matters stage and was in favour of the application, noting that villages across East Suffolk all needed to take their allocated proportion of new development.

Councillor Ninnmey spoke against the application, considering that Levington was being asked to increase its size by 15% and that the development would not be in keeping with Levington's character. Councillor Ninnmey referred to the level of development in Felixstowe, which he considered cramming, and was concerned this would become a similar issue in Levington and the surrounding area.

Councillor Deacon concluded the debate, citing his significant involvement in the making of the Local Plan; he said he was in favour of spreading development across the district rather than concentrating it in towns and was therefore supportive of the proposals. Councillor Deacon acknowledged the views of the Parish Council but highlighted the site's allocation in the Local Plan and was of the view that to refuse the application would result in an appeal which the Council was unlikely to be able to successfully defend.

There being no further debate the Chair sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report. On the proposition of Councillor McCallum, seconded by Councillor Hedgley it was by a majority vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the agreement of conditions and the completion of a Section 106 legal agreement.

**NOTE:** Councillor Deacon left the meeting at the conclusion of this item (4.26pm).

The Committee received report **ES/1750** of the Head of Planning and Coastal Management, which related to planning application DC/23/3492/FUL. The application sought full planning permission for the erection of one dwelling on land at Hungarian Lodge, High Street, Ufford.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management given both the significant local interest and the recent application DC/22/4985/FUL that was also considered by the Committee at its meeting of 22 August 2023, where a resolution to refuse that application was made.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The Committee was apprised of the planning history on the site; a previous application was deferred by the Committee at its meeting of 25 July 2023 to enable a site visit to be undertaken and following this, was considered again at its meeting of 22 August 2023 where planning permission was refused. The Principal Planner noted that prior to the formal refusal being issued, the applicant withdrew the application.

The Principal Planner referred to the update sheet that had been published on 27 November 2023 and contained additional comments on the application. The Committee was advised that some of these comments claimed that the consultation process had not been adhered to and the Principal Planner confirmed this had not been the case.

The site's location was outlined and the Committee was shown photographs demonstrating views from within the site towards 11 Lodge Road and neighbouring cottages, and from the interior of 11 Lodge Road towards the site.

The Committee received the proposed block plan, elevations, sections, and floor plans. The Principal Planner detailed that in response to comments made by the Committee on the previous application, the proposed dwelling was now located further away from 11 Lodge Road and there was a greater distance between the new building and the affected windows. The Committee was advised that the size and scale of the proposed dwelling was broadly the same as the previous application; the proposed eaves height was 2.4 metres and the proposed ridge height was 4.5 metres.

The key issues and material planning considerations were summarised as the principle of development, highways, the design and appearance of the proposed dwelling, and the impact on the neighbour's residential amenity particularly with regards to light and privacy for occupiers of the proposed dwelling, as well as neighbouring residents. The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee.

The Chair invited questions to the officers. It was confirmed that the distance between the proposed and existing dwellings was 7 metres; 2.5 metres between 11 Lodge Road and the boundary fence and a further 4.5 metres from the fence to the proposed

proposed dwelling. In response to Councillor Daly, the Principal Planner said she was content with the proposed distances.

The Chair invited June Leigh, who objected to the application, to address the Committee. Ms Leigh noted that the Committee had overwhelmingly rejected the previous application and was surprised to see a revised application recommended for approval. Ms Leigh said the new proposals continued to give concerns in respect of low quality, unattractive design and being out of character for the area.

Ms Leigh considered that the grounds for refusal from the previous application remained relevant to the new application as it failed to respond to the local vernacular or enhance the special architectural character of the area. Ms Leigh considered the new dwelling would still overlook 11 Lodge Road and cause harm to its residential amenity.

Ms Leigh said that residents were concerned about the impact of losing open space and highlighted that the development did not meet the Suffolk Coastal Local Plan's (the Local Plan) requirement for high quality development demonstrating understanding of local character.

There being no questions to Ms Leigh, the Chair invited Councillor David Findley, representing Ufford Parish Council, to address the Committee. Councillor Findley referenced the application refused earlier in 2023 and said that the Parish Council, whilst acknowledging the relocation of the proposed dwelling within the site, retained concerns about the development.

Councillor Findley reminded the Committee that it had refused the previous application on the grounds of it having a detrimental impact on residential amenity, contrary to policy SCLP11.2 of the Local Plan. Councillor Findley said that although the relocation of the dwelling moved it further away from 11 Lodge Road it moved it nearer to neighbouring cottages, thus having a detrimental impact on the residential amenity of those properties.

Councillor Findley questioned the distances from 11 Lodge Road provided by officers and noted that paragraph 3.2 of the report stated there was only 1.5 metres between 11 Lodge Road and the boundary fence.

Councillor Findley expressed concern about the loss of green space and pointed out that despite Natural England recommending a Habitat Risk Assessment this had not been requested by either the Principal Planner nor the applicant, despite the site being referred to as mitigation for development at the former Crown Nursery. Councillor Findley described the proposed render as not being in keeping with the area and urged the Committee to refuse the application.

There being no questions to Councillor Findley, the Chair invited Mark Bedding, the applicant, to address the Committee. Mr Bedding summarised the journey to reach the proposals being considered by the Committee, noting that an application for an infill development keeping in the pattern of Lodge Road was originally submitted in December 2022. The original application was amended in April 2023 following consultation, before being considered and refused by the Committee in August 2023.

Mr Bedding confirmed that the previous application had been withdrawn before being refused to resubmit the current proposals, taking into consideration the Committee's comments regarding the positioning of the dwelling within the site. Mr Bedding highlighted that the relocation of the proposed dwelling meant that all of 11 Lodge Road's windows passed light tests and that the site plot's width had been reduced.

Mr Bedding considered that the scheme was policy compliant and stated that no objections had been received from statutory consultees. Mr Bedding said the principle of development had been accepted previously and the development had been amended in line with the Committee's comments on the previous application, which he considered had created an improved scheme. Mr Bedding sought the Committee's support to approve the application.

The Chair invited questions to Mr Bedding. Councillor Hedgley sought clarity on the distances between the site and 11 Lodge Road, bearing in mind Councillor Findley's comments regarding the information at paragraph 3.2 of the report. Mr Bedding confirmed that the figures given by the Principal Planner during her presentation were correct; the Principal Planner noted that there was a typographical error in paragraph 3.2 of the report and the distance should read 2.5 metres.

The Chair invited Councillor Noble, ward member for Ufford, to address the Committee. Councillor Noble endorsed the comments made by Ms Leigh and Councillor Findley and said she remained concerned about the lack of detail in the application, including what heating system would be used and where it would be located.

Councillor Noble expected an application of this nature to have more detailed surveys on ecological matters and provide a clear rationale for development; she was surprised that there was no design and access statement included with the application. Councillor Noble considered that the development was contrary to policy SCLP11.1 of the Local Plan in respect of design quality, suggesting it did not reflect a high quality design.

Councillor Noble was concerned about flood risks, noting recent heavy storms and highlighting significant hardstanding and a lack of soft landscaping to absorb water; she added that there was no apparent drainage provision for the site. Councillor Noble said this would cause flooding risk to both the proposed and surrounding properties, along with risk of damage to the heritage wall which in turn would be dangerous to the adjacent highway.

Councillor Noble concluded that the property would not be of use to the village as it would not be affordable housing and would be detrimental to the surrounding area. On the grounds set out in her address, Councillor Noble recommended the Committee refuse the application.

There being no questions to Councillor Noble, the Chair invited the Committee to debate the application that was before it. Councillor McCallum sought clarity on the resolution to refuse the previous application made at the Committee's meeting of August 2023. The Principal Planner quoted that the Committee resolved to refuse the

previous application on the grounds it was contrary to parts (a), (b), and (c) of policy SCLP11.2 of the Suffolk Coastal Local Plan as it would adversely impact the residential amenity of both 11 Lodge Road, Ufford and the proposed dwelling, and both the outlook and access to daylight/sunlight of 11 Lodge Road, Ufford.

Councillor Daly stated that the Committee needed to consider if there had been a material change from the previous application and if the relocation of the dwelling within the site was enough to overcome the reasons the original application had been refused by the Committee.

Councillor Byatt noted he had not attended the Committee's visit to the site earlier in the year and considered it would be appropriate for him to abstain from voting on the application.

There being no further debate, the Chair sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report. On the proposition of Councillor McCallum, seconded by Councillor Hedgley, it was by a majority vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to both no new issues being raised within the consultation period and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 1400-01J, 1400-02J and 1400-03J received 8 September 2023 and 1400-04 K received 7 November 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including

any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

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

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

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

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

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

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

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

7. The use shall not commence until the area(s) within the site shown on Drawing No. 1400-02J for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019).

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

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

10. Before the development is occupied details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

11. Prior to occupation of the dwelling hereby permitted, precise details of all boundary treatments shall have been submitted to, and approved in writing by the local planning authority and subsequently installed on site. Thereafter, the approved boundary treatments shall be retained.

Reason: In the interests of visual amenity and residential amenity.

12. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

13. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such

extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

Informatives:

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

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

**NOTE:** Councillor Ninnmey left the meeting at the conclusion of this item (4.58pm).

**11 DC/23/3464/FUL - The Old Bakery, Helmingham Road, Otley, Ipswich, IP6 9NS**

The Committee received report **ES/1751** of the Head of Planning and Coastal Management, which related to planning application DC/23/2464/FUL. The application sought full planning permission for the construction of a two-storey rear extension, front entrance porch and associated alterations at The Old Bakery, Helmingham Road, Otley.

As the minded-to recommendation of approval was contrary to Otley Parish's Council recommendation of refusal the application was presented to the Planning Referral Panel, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution, on 16 October 2023 where it was recommended that the application be determined by the Committee.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown aerial photographs of the site. The Assistant Planner displayed photographs demonstrating views of the location of The Old Bakery.

The Committee received the existing and proposed block plan, elevations, and floor plans. The Assistant Planner also displayed the plans for a scheme previously approved on the site for a two storey rear extension, front entrance porch and associated alterations.

The Committee was shown photographs demonstrating likely views from the balcony towards Otley Cottage and Bramble Cottage. The Assistant Planner highlighted that there was a low fence of the boundary at Otley Cottage which did not provide existing privacy, and that an outbuilding screens views of the rear garden at Bramble



Cottage. The Committee also received photographs of these views demonstrating the proposed screening.

The material planning considerations and key issues were summarised as landscape character - development within the countryside, visual amenity, residential amenity, and householder extensions/alterations. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Hedgley queried the concerns regarding overlooking; the Assistant Planner said there would be a certain degree of oblique overlooking but views would primarily be towards the landscape to the rear of the property. The Committee was advised that there was already a large degree of mutual overlooking.

The Chair invited Carly Clow, the applicant, to address the Committee. Ms Clow said that she and her family had spent a large amount of effort restoring The Old Bakery and making the most of the landscape views it offered and the extension had been designed to complement the host dwelling.

Ms Clow acknowledged that since the extension had been constructed it had become apparent there was a degree of mutual overlooking and that a balcony with opaque side would provide more privacy for all parties. Ms Clow highlighted that other properties in the immediate area benefitted from balconies at similar heights and considered that there would be a minimal impact from the balcony proposed for her home. Ms Clow pointed out that the two objections received were from dwellings in excess of 40 feet away from the application site.

The Chair invited questions to Ms Clow. In reply to Councillor Hedgley, Ms Clow confirmed that she had consulted neighbours before building the extension and there had been no objection to the existing Juliet balcony. Ms Clow said that following officer advice the size of the bedroom had been reduced and this had created the mutual overlooking; Ms Clow's architect had suggested the proposed balcony to obscure views.

The Chair invited the Committee to debate the application that was before it. Members expressed disappointment that the Parish Council had chosen not to attend or speak at the meeting despite objecting to the application.

There being no further debate, the Chair sought a proposer and seconder for the recommendation to approve the application, as set out in the report. On the proposition of Councillor Hedgley, seconded by Councillor Daly, 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 the site location plan, plan numbers TOB.07.011/2021/04C, TOB.07.011/2021/05C and TOB.07.011/2021/03C received on 06.09.2023 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The hereby approved balcony shall be fitted with 1.7-metre-tall obscure glazed screens on both the north and south sides. These screens shall be obscured to a minimum of level 3 on the Pilkington glazing scale (or equivalent by alternative manufacturer). This obscured glazing/material shall be installed before the first use of the balcony. Thereafter the balcony screening shall be retained in that form unless otherwise approved in writing by the Local Planning Authority.

Reason: To limit overlooking of adjacent properties.

5. The two obscure glazed first floor side (north and south) windows, serving the bathrooms/En-suites shall be fitted with obscured glazing to a minimum of level 3 on the Pilkington glazing scale (or equivalent by alternative manufacturer). The windows shall also be fitted with brackets to prevent them opening more than 45 degrees. The windows shall be retained in that form unless otherwise approved in writing by the Local Planning Authority.

Reason: to limit overlooking of adjacent properties.

The meeting concluded at 5.09pm.

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Chair