

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 26 March 2024 at 2.00pm.**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Deborah Dean, Councillor Lee Reeves

**Officers present:**

Matt Makin (Democratic Services Officer (Regulatory)), Danielle Miller (Principal Planner (Major Sites)), Agnes Ogundiran (Conservative Political Group Support Officer), Lucille Reed (Assistant Enforcement Officer), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Natalie Webb (Senior Planner), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Karolien Yperman (Design and Heritage Officer)

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**Announcement**

When opening the meeting, the Chair announced that he had reordered the agenda and that item 8 would now be the last item of business considered.

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Debbie McCallum. Councillor Deborah Dean attended as Councillor McCallum's substitute.

**2 Declarations of Interest**

Councillor Colin Hedgley declared a Non-Registerable Interest in the planning application at item 7 of the agenda, as the application site was located within his ward.

Councillor Mike Ninnmey declared a Non-Registerable Interest in the planning application at item 8 of the agenda, as the application site was located within his ward.

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

Councillors Tom Daly, Mike Deacon, John Fisher, Katie Graham, Colin Hedgley, and Mark Packard all declared that they had been lobbied in writing on the planning application at item 8 of the agenda. Councillor Packard advised that he had responded only to acknowledge the correspondence, and all other Members advised that they had not responded.

Councillor Mark Packard declared that he had been lobbied in writing by another member of the Council on the planning application at item 11 of the agenda and had not responded.

#### **4a Minutes - February 2024**

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 27 February 2024 be agreed as a correct record and signed by the Chair.

#### **4b Minutes - March 2024**

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

##### **RESOLVED**

That the minutes of the extraordinary meeting held on 6 March 2024 be agreed as a correct record and signed by the Chair.

### **5 Quality of Place Awards 2023**

The Committee received a presentation by the Design and Heritage Officer on the 2023 Quality of Place Awards.

The Design and Heritage Officer summarised the awards event that took place on 29 November 2023 and provided an overview of the winning and highly commended schemes for each category, including images of these submissions.

The Committee was advised that nominations for the 2024 awards would open on 2 April 2024 and the Design and Heritage Officer summarised the categories that would be used for this year's awards.

The Chair thanked the Design and Heritage Officer for her presentation.

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

The Committee received report **ES/1896** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 27 February 2024. At that time there were 16 such cases.

The Assistant Enforcement Officer introduced the report and provided updates on the following cases:

- A.1 (141 Kirton Road, Trimley St Martin) - a further site visit had confirmed that compliance had been achieved on the site and the case had been closed; this would be reflected on the next report to the Committee.
- A.3 (Part OS 1028, Highgate Lane, Dallinghoo) - an extension of time had been granted as the ground conditions had made compliance difficult to achieve.

There being no questions to the officers, it was on the proposition of Councillor Deacon, seconded by Councillor Smithson, by a unanimous vote

### **RESOLVED**

That the outstanding enforcement matters up to 27 February 2024 be noted.

## **7 DC/22/4714/FUL - Three Horseshoes Inn, The Street, Charsfield, IP13 7PY**

The Committee received report **ES/1897** of the Head of Planning and Coastal Management, which related to planning application DC/22/4714/FUL. The application sought full planning permission for the refurbishment of and extensions to the Three Horseshoes Public House (the public house) in Charsfield, incorporating improved access, car park and outside facilities together with the construction of three two-bedroomed cottages to the western frontage of the site. The dwellings were proposed to fund the works required to reinstate and improve the public house.

The application had been referred to the Committee for determination by the Head of Planning and Coastal Management, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution, due to the level of public interest in the proposal.

The application was previously presented to the Committee at its extraordinary meeting on 6 March 2024, where its determination was deferred to enable a site visit to take place. This site visit was undertaken on 21 March 2024.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The Senior Planner referred to the update sheet, published on 25 March 2024, which included comments from a local publican in support of the application.

The site's location within the settlement boundary was identified and the Committee was advised that the principle of development was considered to accord with policies SCLP5.2 and SCLP5.7 of the Suffolk Coastal Local Plan (the Local Plan).

The Senior Planner set out the context of the site and noted the permitted development to the north of the site, which was on a site allocated for development by policy SCLP12.46 of the Local Plan. The Committee was advised that the public house and nearby buildings were not listed, and the Senior Planner outlined the site's proximity to flood zone 2.

The Committee was advised that four trees on the site's frontage were subject to Tree Preservation Orders (TPOs) and the Council's Landscape and Arboriculture team had not objected to their removal. The Senior Planner added that following consultation, the Flood Authority had not objected to the application.

The Committee was shown a map which demonstrated the site's proximity to public right of way 23, which was to the west, and the footpath link with St Peters Close was noted.

The Senior Planner explained that the site had been listed as an Asset of Community Value (ACV) on 28 November 2018; this listing expired on 11 December 2023 however the site was relisted on 28 November 2023 for a further period of five years, to 28 November 2028.

The Senior Planner referred to policy SCLP8.1 of the Local Plan, which stated that proposals to change the use, or redevelop for non-community use, of an ACV would not be permitted. The Committee was advised that the proposal did not result in the loss of an ACV and therefore accorded with this policy.

The Committee was shown aerial images of the site demonstrating the wider setting and a close-up view of the site, along with the site location plan and the proposed block plan. The Senior Planner highlighted the proximity between the proposed dwellings and the existing public house.

The Senior Planner displayed photographs demonstrating views of the following:

- Looking east on The Street.
- The existing public house.
- The existing access point and informal parking area.
- Looking west on The Street.
- Looking towards the dwellings on St Peters Close.
- The former car park area.
- Looking back towards The Street.
- The area proposed for residential dwellings.
- Looking towards St Peters Close.
- Looking north-west from within the site.
- Looking north from within the site, towards new housing on St Peters Close.
- Looking east from within the site, towards the amenity space of London Villa.
- Looking from within the site towards London Villa and the area of public house extension.

- The western side of the existing public house.
- The existing outbuilding.

The Committee was also shown photographs of the interior of the public house taken during the site visit, demonstrating views of the kitchen and bar areas.

The Committee received the existing and proposed elevations and floor plans for both the public house and the proposed dwellings. The Committee was also shown a cross-section demonstrating the changes in ground level between the proposed dwellings and 2 St Peters Close, the existing public house plus proposed extension, and the boundary with London Villa. The proposed street scene was also displayed.

The Senior Planner displayed historical aerial images of the site from 2000 and 2007, showing the change in use of the outdoor area of the public house. The Committee was also shown examples of other public house outdoor spaces within the district.

The material planning considerations and key issues were summarised as the principle of development, design and layout, the ACV, affordable housing, landscape and visual impact, biodiversity and ecology, residential amenity (including noise), highways and public right of way, flood risk and surface water drainage, land contamination, archaeology, and legal obligations (including a Section 106 agreement).

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, detailed in the report, was outlined to the Committee.

The Chair invited questions to the officers. When asked about the retention of trees in the proposed beer garden area, the Senior Planner said that the applicant's agent would be best placed to advise on this issue. The Senior Planner confirmed to another member of the Committee that the change in location for parking was to accommodate the proposed dwellings.

A member of the Committee asked if the proposed new parking area had been cultivated, as it appeared to be the case in one of the images displayed. The Senior Planner outlined where the access to the new parking area would be located and noted it would remove an existing raised area, which appeared to be either a flowerbed or sandbox.

It was clarified to the Committee that the comments contained within the update sheet were not from the applicant but from a local publican who had been asked to give advice on what would make a successful rural public house. In response to a member of the Committee, the Senior Planner clarified that some of the examples of other public house open space did not contain parking.

The Chair invited Mr David Wolfe, representing objectors to the application, to address the Committee; during this address the Senior Planner displayed slides submitted by Mr Wolfe prior to the meeting.

Mr Wolfe surmised that his main concern was the enormous reduction in the size of the beer garden servicing the public house, and said that the proposals only provided a

very small outdoor space for the premises. Mr Wolfe highlighted policy SCLP8.1 of the Local Plan and was of the view that insufficient weight had been given to it in the officer's report, and that the proposals would result in a change of use of an ACV and redevelopment for a non-community use.

Mr Wolfe said it was clear there would be no better or equivalent provision provided and the development would simply cause a reduction of the ACV, and said that policy SCLP8.1 was clear that the application should be refused, urging the Committee to do so.

The Chair invited questions to Mr Wolfe. A member of the Committee sought Mr Wolfe's views on the chances of the public house being operated as a viable community venture if the application was refused. Mr Wolfe responded that the applicant had not marketed the site at a sensible price and was confident that if they did so, the pub could be run as a viable community venture.

The Chair invited Councillor Fran Moor, representing Charsfield Parish Council, to address the Committee; during this address the Senior Planner displayed slides submitted by Councillor Moor prior to the meeting.

Councillor Moor reiterated her comments from the previous meeting, that the Parish Council wanted to see the public house reopened but considered the proposed scheme to be fundamentally flawed. Councillor Moor referred to the recent site visit and said it must be clear to the Committee how the applicant had allowed the premises to deteriorate, and contended that the proposals were designed to increase the value of the site to sell it for development.

Councillor Moor was of the view that the officer's report did not make it clear whether the site would be sold after development or operated by the applicant. Councillor Moor categorically denied the claims of the applicant's agent at the previous meeting that the village hall had taken away trade from the public house and stated that since the village hall received a premises licence, there had not been a single occasion where it had been in direct competition with the public house.

Councillor Moor highlighted several images of the site's use of the outdoor area since 2000 for public house and community events and noted that some of that land had already been lost to development. Councillor Moor provided images of a marquee being used and linked to one of the public house's entrances and said that if the beer garden was reduced, an important community facility would be lost. Councillor Moor cited that Charsfield was a unique community with strong bonds between residents.

Councillor Moor acknowledged the need for a catering option to make the public house viable but said that turning the premises into a "destination pub" could be a route to disaster, citing the recent closure of the Turk's Head in Woodbridge.

The Chair invited questions to Councillor Moor. In response to a query from a member of the Committee, Councillor Moor said she was confident that the community would come forward to fund running the public house if the application was refused; she said this was not "plan A" but considered that a community public house tended to thrive as those involved were invested in the venture.

Another member of the Committee asked if Councillor Moor agreed there was no guarantee anyone would invest in the public house. Councillor Moor reiterated the Parish Council's view that the public house was more likely to be a viable venture if the application was refused.

The Chair invited Mr David Houchell, the applicant's agent, to address the Committee. Mr Houchell was clear that the applicant would not be maintaining, extending or developing the site and the purpose of the application was to make the site viable. Mr Houchell referred to the comments received from a local publican in support of the proposals.

Mr Houchell noted the link to the village green and recreation ground which could be used for activities and described the public house as a 12-month business. Mr Houchell acknowledged the friction between the applicant and residents and confirmed the applicant would be renovating the public house prior to its sale, and had discussed the proposed dwellings with a housing association to make them affordable housing units.

Mr Houchell said the beer garden in its current state was not practical for food serving and that the application proposed an outdoor space that was near to the public house building. Mr Houchell confirmed that the proposed parking provision complied with highways standards and he considered the application was policy compliant. Mr Houchell addressed the example of the Turks Head in Woodbridge, noting that it had become unviable as a community venture and had been sold to a commercial operator.

The Chair invited questions to Mr Houchell. In response to a query from a member of the Committee, Mr Houchell confirmed that the renovation of the public house was reliant on the development of the three proposed dwellings. Following further questions from the Member, Mr Houchell advised that a Section 106 Agreement would ensure that the applicant was using the funds raised by the sale of the dwellings to renovate the public house to ensure its viability, and that the dwellings could not be occupied until the renovation was complete and the public house was open again.

Another member of the Committee asked if the applicant had any potential buyers in place. Mr Houchell said this was not the case but that the applicant had been advised by Christie's Auction House there would be significant interest in the site. Mr Houchell confirmed that the site would be marketed as soon as possible should the application be approved, and would be sold as a package including the development opportunity afforded by the planning permission.

The Chair noted Mr Wolfe's comments regarding the application of policy SCLP8.1 in the officer's report and sought clarity on this from the Planning Manager (Development Management, Major Sites and Infrastructure).

The Planning Manager advised that the report did make reference to the change of use aspect of the policy, at paragraph 7.41, and said that the report acknowledged that the ACV was not being lost and was, in officers' opinion, being enhanced to enable the reopening of the public house. The Planning Manager noted the loss of garden space was a compromise but was well balanced against the reinvestment it would bring into the public house.

The Planning Manager considered the report to be well written and outlined that a Section 106 Agreement would be sought to secure the funding for the renovation of the public house and that no dwelling will be occupied until the public house was renovated and opened, considering this added strength to the proposals.

The Chair invited the Committee to debate the application that was before it. A member of the Committee, whose ward the application site was located in, concurred with the comments from a local publican in the update sheet and did not consider the proposed development would provide enough parking or outside space to become a "destination pub". When asked by the Chair if he considered the public house could be run as a community pub, the Member said he would not recommend that option.

Several other members of the Committee spoke on the community aspect of the public house and how such facilities were important hubs in rural areas. Members of the Committee suggested that the proposals did not present the best option to make the site viable and were of the view that the community running the pub should be considered, noting that the pub needed to be viable but also serve the community first.

Another member of the Committee concurred with the points raised about the community aspects, but was unsure if a community venture could run the premises successfully considering the significant costs to do so. The Member was of the view that the public house needed to attract custom from outside Charsfield to make it viable and hoped it could become a success, and said he would be supporting the application.

The Member acknowledged his reservations at the previous meeting and considered the site visit had demonstrated that the proposed dwellings were needed to enable the renovation of the public house to a commercially viable standard. A different member of the Committee echoed these views and could not see how the premises could be made viable without the proposed development.

A member of the Committee, who had been unable to attend the site visit, said he would be abstaining 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 for approval, as set out in the report. The recommendation was proposed by Councillor Deacon and seconded by Councillor Smithson, and by a majority vote **FAILED**.

The Chair sought an alternative recommendation to determine the application. Councillor Graham proposed that the application be refused on the grounds that it was contrary to policy SCLP8.1 of the Suffolk Coastal Local Plan, as the development would represent a change of use of an Asset of Community Value due to the loss of existing open outdoor space for the public house; this was seconded by Councillor Daly and on being put to the vote it was by a majority

**RESOLVED**



That the application be **REFUSED** on the grounds that it is contrary to policy SCLP8.1 of the Suffolk Coastal Local Plan, as the development would represent a change of use of an Asset of Community Value due to the loss of existing open outdoor space for the public house.

## **9 DC/23/4590/FUL - 51 The Street, Brandeston, IP13 7AA**

The Committee received report **ES/1899** of the Head of Planning and Coastal Management, which related to planning application DC/23/4590/FUL. The application sought planning permission to construct a new two-bedroom, one-and-a-half storey dwelling on land adjacent to 51 The Street, Brandeston.

As the case officer's minded-to recommendation of approval was contrary to Brandeston Parish Council's recommendation of refusal, the application was presented to the Planning Referral Panel at its meeting of 12 March 2024, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution; the Panel considered there were material planning considerations that warranted consideration by Members and referred the application to the Committee for determination.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee was advised that the proposals were in accordance with policy SCLP5.2 of the Suffolk Coastal Local Plan (the Local Plan) as the development represented infill development within the defined settlement boundary of a small village.

The Committee was shown photographs of the site demonstrating views from the highway, looking into the site, and the outbuilding to be replaced. The Senior Planner referred to comments received regarding the proposed loss of frontage hedgerow to accommodate the visibility splays and confirmed that mitigation, in the form of replacement planting elsewhere on the site, would be secured by condition.

The Committee was shown the existing and proposed block plans, the proposed visibility splays, the proposed floor plans, and the existing and proposed street scene. The Senior Planner also displayed proposed visualisations of the site sections to demonstrate how the proposed dwelling would be incorporated into the existing street scene. The Senior Planner provided examples of other houses in the area, noting the mix of different designs within The Street.

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

The Chair invited questions to the officers. The Senior Planner, in response to a query from a member of the Committee, confirmed that the scale of the development fell under the threshold for biodiversity net gain.

Another member of the Committee sought clarity on Brandeston Parish Council's comments regarding the height of the proposed dwelling in relation to the host dwelling. The Senior Planner advised that the proposed dwelling would have a height of 6.95 metres at its highest point and would therefore be 800 millimetres above that of the host dwelling, and not 1.5 metres as claimed by the Parish Council.

The Senior Planner reiterated to the Committee that some of the frontage hedgerow would be removed to create the required visibility splays for the site access and the mitigation replacement planting would take place elsewhere on the site, with the details secured by condition.

The Chair invited Mr Phil Cobbold, the applicant's agent, to address the Committee. Mr Cobbold noted that the Committee had been informed that the scheme represented acceptable infill development and was therefore in accordance with policy SCLP5.2 of the Local Plan. Mr Cobbold said that the proposed dwelling had been designed sensitively and in line with other dwellings in the conservation area, and would not cause any material harm.

Mr Cobbold referred to the comments regarding the height of the proposed dwelling; he acknowledged it would be higher than the host dwelling but countered that this had been built at a time where the average height of the population was much lower. Mr Cobbold considered the proposed dwelling would be more sympathetic to the area than a bungalow.

Mr Cobbold addressed comments made regarding views and reminded the Committee that there was no right to a view in the planning process. Mr Cobbold hoped that the Committee would endorse the recommendation to approve the application.

There being no questions to Mr Cobbold, the Chair invited the Committee to debate the application that was before it. A member of the Committee said he was not keen on the design of the proposed dwelling but acknowledged that this was a subjective matter.

Another member of the Committee stated she had no issue with the application but held a slight concern regarding the provision for surface water drainage, and sought assurance that this would not be an issue on the site. The Senior Planner explained that the site was outside of flood zones 2 and 3 and that surface water flooding was a low risk, however there was a condition proposed requiring the applicant to provide details on how surface water runoff to the highway would be avoided.

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 Smithson, seconded by Councillor Packard, it was by a unanimous vote

## **RESOLVED**

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

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's LDA-367-03A, LDA-367-02B, LDA-367-01 received 28 November 2023, LDA-367-06 received 20 December 2023 and LDA-367-07 received 31 January 2024.

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

3. No development shall commence above slab level until details of the roof, wall materials and finishes to be used have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

4. Within three months of the commencement of development, details of all proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved means of boundary treatment shall be implemented prior to the first occupation of the dwelling and retained thereafter.

Reason: In the interests of visual and residential amenity.

5. No development shall commence, or any materials, plant or machinery be brought on to the site, until the approved scheme of protective fencing has been implemented. At no time during the development shall there be any materials, plant or equipment stored, or building or excavation works of any kind undertaken, beneath the canopies of the trees and hedges. All fencing shall be retained and maintained until the development is complete.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting the said Order, no development of any kind specified in Part 1, Classes B and C of Schedule 2 of the said Order shall be carried out unless planning permission has been granted for such.

Reason: In order that the Local Planning Authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the submitted Preliminary Ecological Appraisal (JP Ecology, December 2023, Rev 1).

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

8. 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.

9. Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-367-07 with an X dimension of 2.4 metres and a Y dimension of 43 metres (tangential to the nearside edge of the carriageway) and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re-enacting that Order with or without modification, no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

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

10. No other part of the development hereby permitted shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance

with Suffolk County Council drawing no. DM01; with an entrance width of 3 metres. 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.

11. 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, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

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

12. The use shall not commence until the area within the site shown on drawing LDA-367-07 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

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

13. Before the development is commenced details of 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 2023.

14. Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage 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 promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2023.

15. Before the development is commenced, details of the areas to be provided for the storage and presentation 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

16. 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.

17. 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, particularly given the loss of frontage hedgerow and garden fruit trees.

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

3. 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.

## **10 DC/23/4805/FUL - The Promenade, Sea Road, Felixstowe**

The Committee received report **ES/1900** of the Head of Planning and Coastal Management, which related to planning application DC/23/4805/FUL. The application sought planning permission to use land at The Promenade, Sea Road, Felixstowe, to site an observation wheel attraction between the months of February to October on a permanent basis.

The application was before the Committee for determination as the Council was the landowner, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Principal Planner (Major Sites), who was the case officer for the application. The site's location was outlined and it was noted that the Committee had previously granted temporary permission for the siting of an observation wheel on the site at its meeting in June 2023; this permission expired in December 2023.

The Committee was shown images of the site from before the temporary consent was granted, along with street views of the site and the surrounding area. The Principal Planner also displayed images of the site following its temporary use in 2023, noting that the materials used to restore the site had been agreed with the Council's Assets team. The Committee's attention was drawn to the two areas of wall between the promenade and the site which had been removed to facilitate ingress and egress and where grass had been removed to allow for a level surface for the observation wheel.

The Principal Planner displayed the existing block plan, which would also be the out of season block plan, along with the proposed block plan with the observation wheel in situ. The Committee also received the proposed elevations for the observation wheel and the existing/out of season elevations.

The Committee was shown the landscape scheme and the Principal Planner noticed some constraints on the site; officers were keen to see a central walkway retained during the off season and in the absence of grass, which was not feasible to be replanted in the off season, permeable paving was sought. The Principal Planner said that the landscape scheme would be secured via condition.

The Principal Planner displayed images taken of the observation wheel during the temporary consent period in 2023 which demonstrated views from both ground level and from the observation wheel at its apex.

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

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

The Chair invited questions to the officers. A member of the Committee referred to the comments of Felixstowe Town Council regarding queueing for the observation wheel and asked if this would be addressed in any permanent consent. The Principal Planner advised that the queueing area was outside of the "red line" denoting the application site and could not be controlled through the planning process. The Committee was informed that there was enough space on the promenade for orderly queueing and hoped that the operator would look to address this should planning permission be granted.

Another member of the Committee sought confirmation the same observation wheel would be used and asked when the operator hoped to return. The Principal Planner said that it would be the same observation wheel and that the operator was looking to implement the scheme as soon as possible should permission be granted.

The Vice-Chair noted that the landward lights on the observation wheel would be turned off in the evenings, in line with a proposed condition, and asked what benefit this would achieve. The Principal Planner explained that third party comments had referenced disturbance from flashing lights during the temporary consent period and it was therefore recommended that landward lights on the wheel be turned off during evening hours to minimise the impact on residential amenity and confirmed that the seaward side lights would remain on.

There being no public speaking, the Chair invited the Committee to debate the application that was before it. Several members of the Committee spoke enthusiastically in support of the application, citing the success of the attraction during the temporary consent period and its contribution towards Felixstowe's tourism offer.

A member of the Committee noted that the observation wheel had quickly become iconic during that time and was a real asset to the community, and another member of the Committee was pleased to see that the space would be available for communal use during the off season.

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 Ninnmey, it was by a unanimous vote

## **RESOLVED**

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

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

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



2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following plans and documents:

6088 01 Location Plan  
6088 02 Wheel in Season Summer 23  
6088 03 Site Out of Season Winter 23  
6088 04 Prop in Season 24 And Ongoing  
6088 06 In Season Summer 23 Eles  
6088 07 Site Winter 23 Eles  
6088 08 Wheel in Season Summer 24 Eles  
6088 09 Site Winter 24 Eles  
6088 10 Landscape Site Plan  
Flood risk report  
Wheel technical documentation  
Ra observation wheel 16619  
Planning statement 1.

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

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

3. If the observation wheel hereby permitted is not operational for a period in excess of 24 hours, the gaps created within the promenade facing boundary wall for access and egress shall be infilled as indicated on drawing 6088 07.

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

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

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

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

Monday - Friday: 7.30-18.00  
Saturday: 8.00 - 18.00  
Sundays/Bank Holidays: No noisy working.

Construction and de-construction of the wheel and wheel operation shall be carried out entirely in accordance with the Flood risk report; Wheel technical documentation; Ra observation wheel 16619; Planning statement 1. submitted with the application.

The observation wheel shall only operate during the following times:

Monday – Thursday 10.00 - 21.00

Friday – Sunday (including Bank Holidays) 10.00 - 22.00

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

6. There shall be no floodlighting lighting on the site at any time. During the hours of darkness the landward side lights will be switch off. When the wheel is not operational, there shall be no external lighting except for low level security lighting that shall not be positioned above one metre above the proposed platform.

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

7. Within three months of the installation of the wheel a landscape and drainage scheme shall be submitted to and approved by the council.

Reason: To ensure that adequate consideration has been given to the drainage of the site and a suitable surface finish is provided.

8. The landscaping and drainage scheme approved shall be implemented during the first "Out of Season" period (October 2024 – February 2025) during the time that the wheel is removed and retained as such unless otherwise agreed with the Local Authority.

Reason: In the interest of visual amenity of the surrounding area.

Informatives:

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

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

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

## **11 DC/23/3477/RG3 - Land adjacent The Ferry Boat Inn, The Ferry, Felixstowe**

The Committee received report **ES/1901** of the Head of Planning and Coastal Management, which related to planning application DC/23/3477/RG3. The application sought planning permission for the resurfacing and extension of an existing car park on land adjacent The Ferry Boat Inn, The Ferry, Felixstowe.

The application was before the Committee for determination as the Council was both the applicant and part landowner, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), on behalf of the case officer. The Committee was advised that Felixstowe Town Council had recommended approval and that no objections had been made by any of the other statutory consultees.

The site's location was outlined and the Committee was shown aerial images of the site. The Committee also received photographs demonstrating views of the application site from various vantage points.

The Committee received the proposed block plan and the Principal Planner noted the provision of parking that would be provided. The Committee was also shown the proposed landscaping scheme for the application.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, detailed in the report, was outlined to the Committee.

The Chair invited questions to the officers. A member of the Committee noted that the existing car park was used by patrons of The Ferry Boat Inn and queried if the new car park would require a parking charge. The Principal Planner confirmed this would be the case and said that the charges would be set by the Council's Assets team and would be outside of planning control.

Another member of the Committee sought clarification on how the resident parking spaces would be managed. The Principal Planner said the Assets team would manage this via permit and confirmed that the resident spaces would not be subject to pay and display charges.

A member of the Committee noted that buses no longer serviced The Ferry as there was not sufficient turning space for passenger carrying vehicles and asked if this had been taken into consideration when designing the scheme. The Principal Planner was not aware if this had been taken into account.

There being no public speaking, the Chair invited the Committee to debate the application that was before it. A member of the Committee said it was positive that as much green space as possible was being retained and that it was important to retain the rural character of the area. Another member concurred with the last point and expressed some slight concern with the development's impact on resident parking.

A different member of the Committee cited that an adjacent area of parking near the Ferry Cafe was now operated as a private car park and this development was extending the amount of parking at The Ferry was chargeable. The Member queried how the resident parking would be allocated and, at the Chair's invitation, the Principal Planner said this would be managed by the Assets team and highlighted that the allocated resident parking would be adjacent to the car park and not within the site.

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 Dean, seconded by Councillor Packard, it was by a unanimous vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management following the expiry of the 21-day period following the notice that has been served on the other landowner as required by Certificate B of the application process, 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 not be carried out other than in complete accordance with the following approved drawings:

- 65206953-SWE-ZZ-00-D-S-0100 Rev. P11 (Proposed car park);
- 15-12-60 10 Rev. A (Block Plan Site Location Plan);
- WL 85/01 Rev. B (Felixstowe Ferry, Landscape Plan for Car Park).

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared, and is subject to the review and confirmation in writing by the Local Planning

Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS 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 remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

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. The use shall not commence until the area within the site shown on drawing no. '65206953-SWE-ZZ-00-D-S-0100 Rev. P11' for the purposes of manoeuvring and parking vehicles has been provided and thereafter that area shall be retained and used for no other purpose.

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.

6. The use shall not commence until the area within the site shown on drawing no. '65206953-SWE-ZZ-00-D-S-0100 Rev. P11' for the purposes of cycle parking has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2023 to promote sustainable travel.

7. Before any construction materials are brought to site details shall be submitted to and approved 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. Any installed soakaway must maintain 5m clearance from the carriageway and any building. 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.

8. The approved landscaping and planting works shall be implemented prior to first use of the development (or within such extended period as the Local Planning Authority may allow) and shall thereafter be retained and maintained. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the next available planting season and shall thereafter 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.

9. No external lighting shall be installed at the site without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) submitted to the Local Planning Authority. Thereafter only the approved lighting scheme shall be installed and maintained in that form unless otherwise agreed by the Local Planning Authority.

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

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:** Following the conclusion of this item, the Chair adjourned the meeting for a short break. The meeting was adjourned at 3.50pm and was reconvened at 4.02pm.

## **8 DC/23/3237/ARM - Land adjacent to Reeve Lodge, High Road, Trimley St Martin**

The Committee received report **ES/1898** of the Head of Planning and Coastal Management, which related to planning application DC/23/3237/ARM. The application sought permission for the reserved matters detail (defined as appearance, landscaping, layout and scale) in relation to the outline planning permission granted under application DC/20/5279/OUT.

In accordance with the scheme of delegation set out in the East Suffolk Council Constitution, the Head of Planning Coastal Management had requested that the application be determined by the Committee due to the scale of development, its significance as an allocation for housing and education infrastructure, and comments from the two parish councils covering the site.

The Committee received a presentation from the Planning Manager (Development Management, Major Sites and Infrastructure), who was the case officer for the application. The Committee were advised that the site straddled the boundary between the parishes of Trimley St Martin and Trimley St Mary.

The Planning Manager referred to the update sheet, published on 25 March 2024, which included comments received from the Highways Authority following the publication of the report; the Committee was advised that as a result the recommendation set out in the report had been amended and the new wording was included in the update sheet.

The Planning Manager summarised the outline planning permission granted under application DC/20/5279/OUT; the application was approved by the Committee at its meeting of 19 April 2022 and planning permission had been issued on 28 July 2022. The Committee was also informed of the details of the Section 106 Agreement that had been secured, including the heads of terms.

The Committee was advised that the most recent comments of Trimley St Martin Parish Council had been erroneously omitted from the report and that copies of these comments were issued to Members during the recent adjournment. The Planning Manager summarised these comments and noted the most recent comments of Trimley St Mary Parish Council, which raised similar concerns regarding management and maintenance. The Planning Manager also made reference to a third party representation received suggesting the inclusion of swift boxes on the site.

The site's location was outlined and the Planning Manager outlined the details that were to be considered under a reserved matters application and what matters had already been decided under the outline planning permission.

The Planning Manager provided images showing the context of the site's location within the surrounding area, noting it was adjacent to the Trimley St Mary allotments site and agricultural land to the west. The Committee was advised that the residential element of the development would be within the Trimley St Martin parish, with the open space and community orchard falling within the Trimley St Mary parish. The Planning Manager noted the byway at Gun Lane transected the site and highlighted the site's relationship with footpaths 4 and 31.

The Planning Manager confirmed that the site was allocated for development by policy SCLP12.65 of the Suffolk Coastal Local Plan (the Local Plan) and highlighted to the Committee the proximity of the adjacent site allocated for development of 340 dwellings by policy SCLP12.64 of the Local Plan, as well as the housing sites brought forward in the wider area.

The Committee was informed that the outline planning permission allowed for the development of up to 139 dwellings and the Planning Manager noted the application before the Committee sought permission for 132 dwellings, with the remaining plots being dealt with by way of a separate application to provide a self-build area of the site.

The Committee received the following documents, plans and drawings:

- The approved parameter plan.
- The proposed reserved matters layout plan.
- The proposed primary school/early years provision.
- The proposed housing provision on the site, including details of the split between open market and affordable dwellings, and the proportion of dwellings to be built to M4(2) accessibility standards.
- The density of housing parcels.
- Tables detailing the proposed housing mix on the site.
- The location of affordable housing units on the site.
- The access and connectivity plan.

- The approved site access, secured via a Section 278 agreement.
- The roads to be adopted and surfacing.
- The location of proposed cyclepaths and the access to the primary school/early years site.
- A comparison of the parameter and layout plans.
- The sustainable urban drainage system (SUDS) basin plan.
- Details of the Locally Equipped Area for Play (LEAP), including examples of the equipment to be installed.
- The public open space and community orchard plans, including details of wildlife mitigation and wildflower planting.
- The proposed building heights across the site.
- Solar panel locations.
- The ecological enhancement strategy.
- The proposed elevations.
- The character areas plan, detailing design, appearance, and materials to be used.
- The street scene drawings.
- An artist imagining of the completed site.

The Planning Manager noted that the school/early years site had been secured via the Section 106 agreement, which would both secure funds and require the developer to transfer the land to Suffolk County Council as the Local Education Authority (LEA) prior to the occupation of fifty dwellings. The Committee was advised that there was a larger proportion of one and two bedroom properties due to demand in the area. It was confirmed that all dwellings would be served by electric vehicle (EV) charging points, either on-site or via on-street bollards.

The Committee received photographs of the site displaying the following views:

- Looking north-west from High Road.
- Looking south-east from High Road.
- Looking north-west from within the site.
- Looking north-east towards Reeve Lodge.
- Looking south-east towards the allotments.
- Looking north-west from within the site.
- Looking west from Gun Lane.
- Looking north-east from Gun Lane (highlighting the location of Reeve Lodge).

The amended recommendation to approve the application, detailed in the update sheet, was outlined to the Committee.

The Chair invited questions to the officers. In response to a query regarding the diversion of the footpath, the Planning Manager confirmed the issue had been discussed with the Rights of Way team at Suffolk County Council, who had determined that diverting it to the south would provide better connectivity. The Committee was informed that there would be a formal arrangement at the north of the site.

When queried by a member of the Committee, the Planning Manager confirmed that some preparatory work had been completed on the site, including archaeological surveys and the removal of vegetation as permitted by the outline planning consent. The Committee was informed that a standalone show home had been



permitted on the site and some preparatory work had also been completed to accommodate this development.

In reply to a further query from the Member, the Planning Manager noted that the designation of the green space to the south of Gun Lane had been to ensure an open space adjacent to that walking route and would use Gun Lane as a clear delineation between the residential and recreational areas of the development.

Another member of the Committee highlighted the concerns raised by both parish councils in respect of the management company and the potential for high charges and asked if this was likely to be the case. The Planning Manager said this was a common issue, particularly on strategic sites, and said there was an expectation that management companies be resident-led rather than private concerns. The Planning Manager said that in some cases, residents became directors of management companies and advised that the applicant's agent would be able to provide further clarity in this instance.

The Planning Manager confirmed that the development was not required to meet biodiversity net gain as the outline planning permission had been approved before its introduction. In response to a member of the Committee's question about what could be done to encourage other forms of habitat, the Planning Manager noted that the landscaping of the drainage basin would be required to be kept in a natural state and that the amenity space at the south of the site would be a natural space rather than a playing field type surface. The Committee was reassured that these matters had been reviewed by the Council's ecologists and landscape officers.

A member of the Committee asked about the density of the site in comparison to neighbouring developments and what mitigation was in place to minimise traffic issues at the adjacent A14 junction. The Planning Manager confirmed that regarding traffic, the principle of development had been established by the outline planning consent; he advised that there was a consistency in the density of the sites in the area and that it was important to ensure the dwellings were integrated in a layout that meets the requirements of the highways and landscaping conditions.

Another member of the Committee asked what influence Members had to encourage developers to reconsider heating arrangements and encourage best practice. The Planning Manager advised that the proposals were in accordance with current building regulations however the development would be subject to whatever regulations were in place at the commencement of development. The Committee was informed that there was no specific planning policy in relation to heating sources and therefore it would not be reasonable to attempt to impose any conditions restricting what type of source could be used.

A member of the Committee referred to the Rights of Way team's concerns about access to Gun Lane, and the comments from the Council's Environmental Protection team on noise, and sought confirmation these issues had been addressed. The Planning Manager highlighted that there would be two residential connection points from the site to Gun Lane and these would need to be secured by condition. The Committee was advised there was ongoing interaction with the Environmental Protection Team and that it would need to consider if noise from the site would have

an adverse impact on residential amenity; officers considered that the layout arrangements and proposed mitigation would ensure no greater noise impact.

The Member also queried the concerns raised by the Suffolk Coastal Disability Forum on footpath width and how the community orchard would be operated. The Committee was advised that all footpaths on the site would be two metres wide, which was accepted by the Highways Authority as the standard width, and that shared cycle path areas would be three metres wide. The Planning Manager said the community orchard would be maintained by the management company.

In response to a question regarding air pollution, with a member of the Committee noting that the site lay between a highway and a busy railway line, the Planning Manager said this had been addressed at the outline consent stage and noted that air quality issues to be considered related to the impact of the new development rather than existing issues. The Committee was informed that the site was not located in an Air Quality Management Area.

A member of the Committee asked what impact flood zones in the area would have on insurance and affordable housing on the site. The Planning Manager confirmed that the site was outside of flood zone 1 and that the mitigation afforded by the proposed SUDS would ensure appropriate drainage for surface water on the site, noting there had been no objections from the Environment Agency or the Lead Local Flood Authority.

The Chair invited Ms Diana Thomson, the applicant's agent, to address the Committee. Ms Thomson was accompanied by Ms Catherine Williams, representing Bellway Homes (the applicant), who was present to answer any questions from the Committee.

Ms Thomson said the proposals had been formulated following engagement with both officers and the community and referred to the outlined planning permission granted in 2022, on a site allocated for development of up to 150 dwellings. Ms Thomson said the application sought to deliver homes on the site, including affordable units, and would allow for the provision of education facilities on the site; she noted that the applicant had liaised with the LEA on the latter issue.

Ms Thomson was of the view that the proposed dwellings reflected other developments in the area and said that the proposed layout was a product of extensive conversations with officers prior to submission, and was in line with the approved parameter plan. Ms Thomson advised that parking provision was in line with expected standards and a policy compliant housing mix was proposed.

Ms Thomson advised that the development would benefit from significant public open space and that the proposed LEAP equipment would be accessible for all. Ms Thomson confirmed the applicant was looking to increase the biodiversity net gain on the site and was committed to delivering high quality new homes for current and future residents to enjoy.

Ms Thomson highlighted that no objections had been received from residents and that officers had recommended the scheme for approval; she believed that the application

would deliver a high quality development and encouraged the Committee to approve the application.

The Chair invited questions to Ms Thomson and Ms Williams. A member of the Committee sought clarity on how the site's management company would be established and operated. Ms Williams said that the applicant looked to establish resident-led management companies, establishing them prior to occupation and once the site was fully occupied giving residents the opportunity to vote on who from within their number become the directors of the company. The management company would then be led by residents would engage a managing agent to take responsibility for the maintenance of the open space and any unadopted roads, who would have a fee attached.

Ms Williams explained that before any property sales a service charge would be established, so all buyers would be aware of this amount at the point of sale. Any increase in the service charge would have to be approved by the resident-led management company; if this was not agreed then the service charge would have to remain the same or a new managing agent be appointed. Ms Williams said that service charges usually rose annually with inflation but would otherwise be in the control of residents.

Another member of the Committee asked what the applicant's plan for heating sources was. Ms Williams noted that the government was still consulting on the Future Homes Standard 2025, which included changing to gas-free heating sources, and said as a national housebuilder it was difficult for the applicant to predict what was needed on this site.

Ms Williams explained that removing the gas supply from the site without changing the fabric could be difficult, and that air source heating pumps could be more costly for residents if they were not efficient. Ms Williams said that the government was proposing transitional arrangements which may not be committed to until June 2026, by which point the applicant hoped to have the foundations in place on site.

Ms Williams confirmed that all roads and pavements, minus two private drives, would be adopted by the Highways Authority and that the management company would be responsible for maintaining the LEAP, landscaping, and the SUDS basin. Ms Williams said it was the intention that the fruit from the community orchard would be for the residents of the site and that community participation would be encouraged.

The Chair invited Councillor Lee Reeves, ward member for the application, to address the Committee. Councillor Reeves expressed concerns about the internal road structure, particularly in relation to access to any future education provision and said it was essential that access and parking arrangements for this aspect were agreed now rather than when the LEA proposes its scheme on the site.

Councillor Reeves highlighted that the new primary school was to replace the existing Trimley St Martin Primary School, currently located on the other side of the A14 on the Kirton Road, which attracted students from Kirton, Falkenham and other nearby villages, and said it was vital that access to that area of the site be considered.

Councillor Reeves said that he could only identify two turning areas of refuse vehicles on the site and was concerned about potential parking issues already identified in one area of the residential development. Councillor Reeves said that the mix of homes provided three-bedroom dwellings for 45% of the development which was over and above the need of the area; he acknowledged the housing mix of affordable units was better but said that given the number of three-bedroom dwellings on the site more parking was needed than was being provided.

Councillor Reeves acknowledged that the internal roads would be adopted by the Highways Authority but remained concerned about a potentially high service charge for residents, citing other local developments where this was the case. Councillor Reeves said he was not convinced any management company would be truly run by the residents.

Councillor Reeves was of the view that the community orchard was a token gesture as it provided 13 trees with four different fruits, which could be taken by any passer-by. Councillor Reeves said full consideration needed to be given to wheelchair access to the LEAP and raised concern about the proximity of the SUDS drainage basin to the play area. Councillor Reeves also noted that the school building on the site could be up to three storeys high and said this may cause overlooking issues for adjacent homes.

At the Chair's invitation, the Planning Manager advised the Committee that the SUDS drainage basin would be designed to be as shallow as possible with level sections, to minimise risk.

The Chair invited questions to Councillor Reeves. In response to a query from a member of the Committee, Councillor Reeves concurred that Trimley St Mary Parish Council had not been involved in consultations at an early stage despite part of the site falling within its boundary. The Planning Manager, at the Chair's invitation, noted that the open space would be for the benefit of both parishes and acknowledged that Trimley St Mary Parish Council would not benefit from any Community Infrastructure Levy or precept from the area of the site within its boundary.

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 update sheet. On the proposition of Councillor Hedgley, seconded by Councillor Daly, it was by a majority vote

## **RESOLVED**

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

1. The development hereby permitted shall be completed in all respects strictly in accordance with the listed plans and documents, 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: to be listed when concluded.

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

2. Prior to the construction of any dwelling above slab level, a scheme shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the County Council, for formalisation and construction of paths and surfacing over the site boundary with Byway 3 (Gun Lane).

Reason: To ensure that the Section 106 funded surface improvement works (to be delivered by the County Council) are suitably coordinated with the construction of the development to enable pedestrian and cycle connections in a timely manner.

3. Prior to the construction of any dwelling above slab level, details of a boundary fence to be provided on the eastern edge of the public open space with the village allotments shall be submitted and agreed in writing. The fence shall be installed prior to the first use of the associated Public Open Space.

Reason: To provide enclosure to the open space and avoid trespass into the adjacent allotment area.

The meeting concluded at 5.40pm.

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Chair