



Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft on **Tuesday, 9 January 2024 at 2:00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/W0qjk4tlnow?feature=share>

Members:

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

An Agenda is set out below.

Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the minutes of the meeting held on 12 December 2023.	1 - 21
5	East Suffolk Enforcement Action - Case Update ES/1805 Report of the Head of Planning and Coastal Management.	22 - 36
6	DC/23/2454/FUL - Doreens Cottage, 3 Bridge Road, Reydon, IP18 6RR ES/1799 Report of the Head of Planning and Coastal Management.	37 - 45
7	DC/23/3115/FUL - Seacroft, Millfield Road, Walberswick, IP18 6UD ES/1800 Report of the Head of Planning and Coastal Management.	46 - 59

Part One – Open to the Public		Pages
8	DC/23/3977/RG3 - Jubilee Parade, The Esplanade, Lowestoft ES/1801 Report of the Head of Planning and Coastal Management.	60 - 77
9	DC/23/2832/RG3 - Public Realm Spaces, Royal Plain, Lowestoft, NR33 0AP ES/1802 Report of the Head of Planning and Coastal Management.	78 - 95
10	DC/23/2352/FUL - 1 Adams Lane, Walberswick, Southwold, IP18 6UR ES/1803 Report of the Head of Planning and Coastal Management.	96 - 105
11	DC/23/3905/FUL - Leiston Enterprise Centre, Eastlands Road, Leiston, IP16 4US ES/1804 Report of the Head of Planning and Coastal Management.	106 - 111

Part Two – Exempt/Confidential	Pages
---------------------------------------	--------------

There are no Exempt or Confidential items for this Agenda.

Close



Chris Bally, Chief Executive

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

Speaking at Planning Committee Meetings

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

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

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

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

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

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

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded.

The Council cannot guarantee public seating areas will not be filmed or recorded. By entering the Conference Room and sitting in the public seating area, those present will be deemed to have consented to the possible use of filmed images and sound recordings. If you do not wish to be recorded, please speak to a member of the Democratic Services team at the earliest opportunity.



The national Charter and Charter Plus Awards for Elected Member Development

East Suffolk Council is committed to achieving excellence in elected member development

www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 12 December 2023 at 2.00pm.**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer

Officers present:

Katy Cassidy (Democratic Services Officer(Regulatory)), Jamie Behling (Planner), Joe Blackmore (Principal Planner (Development Management, North Area Lead) , Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Matt Makin (Democratic Services Officer (Regulatory)), Katherine Rawlins (Planner), Robert Scrimgeour (Principal Design and Conservation Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Ewart and Councillor Wakeling.

2 Declarations of Interest

Councillor Ashton declared a non registerable interest for Agenda Item 11 as he was the Cabinet Member for Corporate Services including assets.

3 Declarations of Lobbying and Responses to Lobbying

There were no declarations of lobbying received.

4 Minutes

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

RESOLVED

That the minutes of the meeting held on 14 November 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1778** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegates powers up until 23 November 2023. At that time there were 18 such cases.

The Chair invited the Enforcement Planner to comment on the report, who advised that there were no further updates from the published report.

There being no further updates from the Enforcement Planner, the Chair invited questions from Members.

Councillor Ashdown commented on the Lound Enforcement Action, noting that they had started the works to remove the building and requested that the status of the work was checked in January 2024. The Enforcement Planner confirmed that a check was planned to take place following the compliance period.

The Chair requested an update on items B1 to B4, noting that B1 and B2 had been with the planning inspectorate for over a year and B3 and B4 were still waiting for a start date from the planning inspectorate after 10 months. The Chair also sought clarification on F2 and F3 as they had been with the legal team for over 4 months.

The Enforcement Planner responded on items B1 to B4, confirming that there was a national issue with the delays incurred with the planning inspectorate, with a waiting time currently of over 50 weeks for planning enforcement. She added that the planning inspectorate focused on appeals for applications and there wasn't anything that could be done other than waiting on the decision of the start dates by the inspectorate.

With regards to items F2 and F3, the Enforcement Planner confirmed that work had been taking place behind the scenes with the legal team, and once the dates and action had been set, the Committee would be updated. For F3, it was confirmed that a site visit had recently been conducted to monitor the site whilst the ongoing legal proceedings were taking place.

Councillor Ashton raised his concerns around item F3 noting that a site visit had occurred as further activity had been happening on the site, and it wasn't clear if it represented a breach. With the timescales being so long and the public credibility being affected, Councillor Ashton requested that the enforcement delays were considered outside of the committee, to see what could be done to speed up the process. The Enforcement Planner advised that they were in the hands of the courts and the dates set by them.

In response to the concerns raised by Councillor Ashton, the Planning Development Manager advised the Committee that the Enforcement Action Plan had been agreed at Strategic Planning Committee last year, and this was underway, he noted that a lot of the focus of this Action Plan had been on resourcing and back of house function to improve the way that enforcement cases were recorded and monitored. It was agreed that the Enforcement Process would be an agenda item on the January Strategic Committee.

In response to a query from Councillor Gee regarding F1, the Enforcement Planner reassured the Committee that the only outstanding action was a small factor regarding recovering costs and the main breach had been complied with.

The Chair thanked the Enforcement Planner for the update and clarity and there being no further questions or comments, on the proposition of Councillor Gee, seconded by Councillor Hammond it was by a unanimous vote

RESOLVED

that the outstanding enforcement matters up to 23 November 2023 be noted.

6 DC/23/2317/FUL - 47A Marlborough Road, Southwold, IP18 6LS

The Committee received report **ES/1770** of the Head of Planning and Coastal Management which related to planning application DC/23/2317/FUL. The application sought full planning permission for the conversion of the existing garage into an office for home use and for the re-ordering of the rear access staircase and rear gardens of No's 47 and 47a and the provision of a Solar PV array on the rear extension roof.

The application was before the Committee for determination at the request of the Referral Panel as it was considered that the views of the Town Council should be further discussed.

The Committee received a presentation from the Planner, who was the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed, it was noted that the area was predominantly residential in character and was not within a conservation area. Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The Planner pointed out that the ground floor of the property was under separate ownership and the application was for the first and second floor only (property 47a) with the access being from a rear staircase. Although this application would result in a 3 bedroom property, normally requiring two parking spaces, the Committee was informed that in this case there was no objection to the loss of the garage and the applicant had sought to provide cycle storage.

The material considerations and key issues were summarised as time limit, compliance with approved plans, materials as approved, home office ancillary to host property, no sleeping accommodation, privacy screen installed prior to first use of access/staircase. 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 Planner.

In response to Councillor Hammond's question, the Planner confirmed that the current garage's space standards meant it did not constitute formal parking, it was too small and too narrow, therefore there were no formal objections to its loss.

Councillor Ashton sought clarification regarding the Southwold Town Council neighbourhood plan comments not being valid. The planner advised the Committee

that whilst Policy SWD7 would usually seek a requirement for 2 parking spaces for a 3 bed property, it was noted that the garage was too small to be considered as a parking space, the site was in a sustainable location with no parking restrictions and the applicant was seeking to provide cycle storage. This would, therefore, support the recommendation to approve.

In response to Councillor Ashton, the Planner confirmed that SWD12 related to the retention of private garden space (policy in main Southwold Neighbourhood Plan). In this case there was no planned loss of private garden space, more reconfiguration with the moving of the boundary fence, resulting in comparable garden space to those in the surrounding terrace block. Therefore, there was no reason to recommend refusal.

The Planning Development Manager clarified that all of the comments raised by Southwold Town Council were valid interpretations of their neighbourhood plan policy and had all been taken into consideration when reviewing the planning application.

Councillor Pitchers raised concerns about the home office being used as a bedroom, particularly as the plans proposed tea and coffee making facilities and a shower room. In response the Planner confirmed that specific planning conditions were recommended meaning if they did turn it into a bedroom, there would be a potential breach and they would be at risk of enforcement action; this was discussed and agreed with the applicant prior to the recommendation to approve.

A further concern was raised as to how they would be aware it was happening. The Principal Planner responded that they would rely on the local community to inform them of a breach, adding they were closely packed together properties, therefore it was more likely that any breach would be notified and enforceable action would be taken. The Planning Development Manager noted that the plans proposed were not necessarily building control compliant for sleeping accommodation and could constitute a breach of building regulations.

Following the objector's comments, Councillor Gee sought clarification regarding the balcony and privacy screen and whether there would be any interference with the public right of way. The Planner confirmed that the objector's comments had been considered and the applicant had been requested to amend drawings and a condition was put in place which required installation before first use. Regarding the public right of way, there had been no comments from the Public Right of Way Officer and it would be maintained at all times. The Chair added that this was only a risk during the works and the Planner agreed.

Councillor Ashton suggested that consideration be given to a condition where there wasn't a bath or shower, making it more difficult for it to be used as a bedroom as there was no justification for it. The Planner confirmed that the applicant was asked to justify the facilities and in this case the applicant wanted their home office facilities to have tea/coffee, shower and bathroom facilities, therefore the plans were retained with an imposed condition for home working only.

In response to whether the shower facilities could be removed from the applicant, the Planning Manager confirmed that would be changing the application and the decision needed to be made based on the current plans.

Following no further questions for the Planner, the Chair invited the applicant's agent to speak.

The agent confirmed that his client would be moving to Southwold permanently at the end of 2024 and once in residence was planning to set up a voluntary counselling service on behalf of the church for local people, therefore the planned use of the garage has been called an office but could possibly be called a consulting room.

Referencing the proposed use of the property, the agent hoped that the concerns raised had now been minimised. He stated there would be no overloading of the sewage system as the planned use was spasmodic and the potential neighbour overlooking would not occur due to the privacy screen. He added that he hoped the Committee now understood the need for the tea, coffee and bathroom facilities, noting that the shower was a luxury, but beneficial. In response to a question from Councillor Ashton regarding the need for the shower, the agent confirmed that the applicant or clients may need to use it.

In response to a question from the Planning Development Manager, the Planner confirmed that they had not been made aware of the consulting room use as part of the application. It was clarified that this was a householder application for further residential space and visiting clients could constitute a change of use. The Chair thanked the Planning Development Manager for the clarity and informed the Committee that they were approving the application as it was submitted.

Following no further questions for the agent, the Chair invited the Committee to debate.

There was discussion regarding deferring the application to seek clarity on the planned consulting room usage to prevent a further change of use application. The Planning Development Manager confirmed that it could proceed as recommended, which was as a home office adding the applicant would potentially need future planning permission for a change of use as currently it was not authorised for visiting customers. In response to a question from Councillor Ashdown, the Planning Development Manager confirmed that there were sufficient conditions to ensure that should the property be sold in the future a change of use would not be permitted.

Following on from Councillor Ashdown's question, Councillor Ashton sought clarity from the Planning Development Manager as to whether the information given at the committee constituted a change of use. The Planning Development Manager gave examples of what would require a change of use and agreed that the Committee did not have the facts to make that decision and recommended the Committee proceeded with the application as it had been presented to them.

In response to questions from members, the Chair reiterated that if the application was successful the applicant would need to make a further application to move forward for a change of business use.

There being no further questions or debate the Chair sought a proposer and a seconder for the recommendation to delegate authority to approve the application to the Head

of Planning and Coastal Management. On the proposition of Councillor Ashdown, seconded by Councillor Hammond, it was by a majority vote

RESOLVED

that planning permission is APPROVED subject to the following conditions:

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, drawing no. 1021 MR 013 Garage Elevations and PV array, received by the Local Planning Authority 12 June 2023, and drawing no's 1021 MR 007 E Proposed Plans, 1021 MR 008 E Proposed Elevations, received by the Local Planning Authority 21 August 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 conversion of the garage to a home office hereby permitted, shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever, and shall at no time be used as or contain sleeping accommodation.

Reason: In the interests of the amenity of the area, access and parking, and to prevent the formation of a separate unit of accommodation.

5. The privacy screen shown on drawing no. 008 E, shall be installed prior to the first use of the access platform/rear staircase, and retained as such thereafter.

Reason: In the interests of the amenity of the 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 is advised that the PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

- To apply for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

- To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

5. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be

constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

6. Any hedges adjacent to PROW must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

7 DC/22/2364/FUL - Cornfield Mews, 6A Stradbroke Road, Southwold, IP18 6LQ

The Committee received report ES/1773 of the Head of Planning and Coastal Management which related to planning application DC/22/2364/FUL. The application sought full planning permission for a replacement dwelling at Cornfield Mews, Southwold.

The application was before the Committee for determination at the request of the Referral Panel.

The Committee received a presentation from the Principal Planner, who was the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed, demonstrating the highly constrained nature of the site. Street view photographs were shown, with the Principal Planner noting the types of buildings in the area, which were all attractive historic buildings.

Side and rear photographs of the building were displayed, highlighting the close proximity of the adjacent building and the extended glazing on the rear elevation of the building. The delay in the application was noted with the Principal Planner explaining that it was first received some time ago but there was no planning record of the building being used for residential purpose. The applicant had since provided this evidence and a lawful development certificate was granted, enabling this application to be progressed to a decision.

The proposed block plan was displayed to the Committee, showing the interior and a small courtyard garden. Images of the existing and proposed development were shared highlighting the contemporary nature of the new design, it was noted that from the wider conservation context there would be minimal impact as it was tucked behind the existing buildings. The proposed building design and materials were displayed. It was noted that there had been Town Council and some neighbourhood objections to the proposed white metal shingle materials. A construction method statement had been added to the recommended conditions.

The material considerations were summarised as the principle of development, design of development, conservation area and setting of listed buildings, neighbour amenity impact and construction process (if consented) and recommended conditions. 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 Principal Planner. Councillor Ashdown questioned if there was vehicle access and it was confirmed that it was only pedestrian access with car parking having to be on road or in public car parks. Bicycle storage would only be possible in the hallway.

There being no further questions, the Chair invited the applicant's agent to speak.

The agent advised the Committee that the dwelling had been in place for 60 years and the applicant wished to replace it, virtually like for like, to provide a starter home for their daughter. He noted the Town Council objection to the outside material but advised that the Senior Design and Conservation Officer was supportive, adding that the dominant colour was in keeping with the colour pallet of the surrounding area.

In response to a question from Councillor Ashdown, the agent confirmed that this was intended to be a long term residency for the applicant's daughter and there were no plans for it to be a holiday let.

There being no further questions, the Chair invited the Committee to debate the application that was before it. Councillor Ashdown said he liked the proposed design and as it was for a permanent family dwelling, he proposed that the application be approved as set out in the recommendation. Councillor Pitchers concurred with Councillor Ashdown's comments and seconded the proposal.

There being no further debate the Chair moved to a vote and it was by a majority

RESOLVED

That the application be APPROVED subject to the following conditions:

Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with drawing numbers 01, 07C, 08C, 09B, 10A and 11; received 13/6/2022.

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

3. No building work shall commence until details of the following have been submitted to and approved in writing by the local planning authority:

- (i) Details regarding the proposed finish, and 'edging' of the white metal tiles around the proposed terrace and fenestration, and thickness of individual tiles,
- (ii) A sample panel of the proposed flint/pebble work shall be constructed, with this either being made available for the LPA to physically view on request; or, for photographic details of this sample panel to be provided, and
- (iii) Details of all other materials to be used in the construction of the external surfaces of the dwelling.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including 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.

5. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary

Ecology Appraisal (DCS Ecology, April 2022) 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.

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

Reason: To ensure that nesting birds are protected.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority.

The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, if appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- delivery, demolition and construction working hours.

The Statement shall also set out very clearly the logistics of how the existing building is to be demolished, and a method of construction of the new building; this shall include working practices, machinery/plant/equipment required to carry out the work and how that will be operated on this site to carry out the approved development.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: this is a highly constrained site, and the construction process needs to be carefully managed to limit local amenity impact.

Note: Failure to discharge this condition prior to any work of development (including demolition) will result in this planning permission being invalidated.

The Committee received report **ES/1774** of the Head of Planning and Coastal Management which related to planning application DC/22/4540/FUL. The application sought full planning permission for a two storey rear extension with single storey link and a detached cart lodge.

The application was before the Committee for determination at the request of the Referral Panel as it was considered that the size and scale of the extension in a prominent and sensitive location should be further discussed.

The Committee received a presentation from the Principal Planner, on behalf of the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed. Various photographs of the site were shown, demonstrating views into, and surrounding the building. It was noted that it was within a national landscape area (formerly AONB) and consideration should be given to this. Jumbo's Cottage was highlighted as a relevant consideration to the application.

The evolution of the scheme was presented to the Committee with the original and refined designs demonstrated. The proposed block plan and existing and proposed elevations were displayed, noting the retention of the hedgerow which was seen as very important given the national landscape location and the close proximity to the footpaths in the area.

The material considerations and key issues were summarised, and conditions summarised as: standard time limit, approved plans, materials as submitted, retention of trees/hedge and details of any external lighting to be agreed. 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 Principal Planner. Councillor Gee raised concern over the size and scale of the extension and questioned if there was intention to use it for more than a residential property. The Principal Planner confirmed there had been no proposal for alternative use.

Following no further questions for the Principal Planner, the Chair invited the applicant's agent to speak.

The agent advised the Committee that the original property had not been renovated since the 1970's and the reason for the proposed extension was to accommodate the extended family. He told the Committee that the extension was deliberately at the rear and digging into the slope, with the house retaining its position in the landscape. The link to the extension had been amended several times, and it replaced a similar sized garden room. He noted that the amendments were sympathetic to the landscape and the glazed area had been reduced significantly in size. They had received one objection from the Parish Council and had made amendments accordingly. They had worked closely with the Planning Officers, ensuring all requested changes were taken on board and carried out in full.

There being no further questions for the agent, the Chair invited the Committee to debate the application that was before it. Councillor Pitchers commented when reading through the proposal initially he wasn't happy with it, however, having seen

how much design was hidden, he was happy to propose that the application be approved as set out in the recommendation. Councillor Ashdown concurred with Councillor Pitcher's comments and seconded the proposal.

It was by a unanimous vote

RESOLVED

That the application be APPROVED, subject to controlling conditions as detailed below:

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drwg. no. 11 rev. J (proposed floor plan) and drwg. no. 12 rev. G (proposed site plan) received 30 August 2023 and drwg. no. 14 Rev. i (proposed elevations) received 30 October 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. None of the trees or hedges shown to be retained on the approved plan (drwg. no. 12 rev. G received 30 August 2023) shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

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

5. Prior to its installation, details of any external lighting shall be submitted to and approved by the Local Planning Authority. Only the approved lighting shall be installed and retained in its approved form.

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

9 DC/23/0297/FUL - 17 Market Place, Southwold, IP18 6EB

The Chair advised the Committee that agenda items 9 and 10 were associated applications and would be presented jointly.

The Committee received report **ES/1779** of the Head of Planning and Coastal Management which related to planning application DC/23/0297/FUL. The application sought full planning permission to convert the ground floor from a bank (use class E) to a (class C3) residential use, providing open market accommodation.

The Committee received report ES/1780 of the Head of Planning and Coastal Management which related to planning application DC/23/0298/LBC. The application sought listed building consent to convert the ground floor from a bank (use class E) to a (class C3) residential use, providing open market accommodation.

Both applications were before the Committee for determination at the request of the Head of Planning and Coastal Management as they were considered to hold significant public interest and the re-use of the building warranted Committee debate.

The Committee received a presentation from the Planner, who was the case officer for this application. The site's location plan was outlined, and an aerial photograph of the site was displayed. The planning history was outlined to the Committee, in 2021 plans were approved which retained commercial space on the ground floor. It was noted that the building was Grade II Listed and there had been no interest in the development of the commercial space to date.

Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The Planner noted that there were not significant changes proposed to the appearance, it was more the change of use, as such there would be less impact on the listed building if it was converted to residential use, providing more heritage benefits.

The material considerations and key issues were summarised as principle of change of use, heritage benefits, parking, and occupation restriction. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application subject to a RAMS payment with conditions was outlined to the Committee.

The Chair invited questions to the the Planner.

In response to a question from Councillor Ashdown, the Planner confirmed the garage was sufficient for a modern vehicle.

Councillor Ashton questioned how much demand there was for the commercial/retail property in Southwold currently. In response the Planner confirmed there were 3 vacant units currently and this particular property had been advertised for 14 months with no interest.

Following no further questions for the Planner, the agent presented on behalf of the applicant.

Following no questions for the agent, the Chair invited the Committee to move into debate regarding the planning permission. Councillor Gee commented that it was an excellent scheme that would enhance Southwold and therefore she was happy to propose that the planning permission be approved as set out in the recommendation. Councillor Hammond concurred with Councillor Gee's comments and seconded the proposal.

It was by a unanimous vote

RESOLVED

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

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 1206-P01, 1101-P01 and 1404-P01 received 24/01/2023, 5842-1401-P02, 1402-P02 and 1403-P04 received 24/08/2023 and 5842-0100-P01 received 25/08/2023 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 ground floor flat permitted shall not be occupied otherwise than by a person as his or her only or Principal Home. For the avoidance of doubt the dwelling shall not be occupied as a second home or holiday letting accommodation. The Occupant will supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with.

Reason: To safeguard the sustainability of the settlements in the Southwold NP area, whose communities are being eroded through the amount of properties which are not occupied on a permanent basis and to ensure that the resulting accommodation is occupied by persons in compliance with policy SWD4 of the Southwold Neighbourhood Plan.

10 DC/23/0298/LBC - 17 Market Place, Southwold, IP18 6EB

The presentation for the Listed Building Consent Applicant was recorded under Item 9 of the minutes.

The Chair invited the Principal Design and Conservation Officer to speak regarding the Listed Building Consent Application. The Principal Design and Conservation Officer informed the Committee that the application had been given due consideration and serious review and they were persuaded of the benefits to the historic building, noting that a restoration plan had been agreed that would strongly benefit the property.

Following no further questions, the Chair invited the Committee to move into debate regarding the listed building consent. Councillor Ashdown was happy to propose that the Listed Building Consent be approved and Councillor Gee seconded the proposal.

It was by a unanimous vote

RESOLVED

That the application for Listed Building Consent be APPROVED subject to the following conditions:

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 1206-P01, 1101-P01 and 1404-P01 received 24/01/2023, 5842-1401-P02, 1402-P02 and 1403-P04 received 24/08/2023 and 5842-0100-P01 received 25/08/2023 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. Prior to commencement of any works, details in respect of the following shall be submitted to and approved by the Council as Local Planning Authority. The work

shall be carried out in accordance with such approved details:

- Details of the reinstatement of the cornicing to match the original profile
- Details of the infill construction of the existing arched opening
- Details of all new doors and architraves, including materials, appearance, finish and ironmongery.
- Details for the restoration of the pilasters and capitals and the paint scheme
- Details of the fireplace reinstatement
- Details of the plumbing, drainage and extraction to the kitchen island and base units (sink).

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Prior to commencement a full schedule of repairs and reinstatements shall be submitted to the Local Planning Authority for approval. Works shall be undertaken in accordance with the approved schedule.

Reason: In order to safeguard the special architectural or historic interest of the building.

11 DC/23/1674/FUL - Hamilton Docks, Hamilton Road, Lowestoft, NR32 1XF

The Committee received report **ES/1776** of the Head of Planning and Coastal Management which related to planning application DC/23/1674/FUL. The application sought full planning permission for the demolition and development of warehousing and offices to store parts for offshore renewable infrastructure.

The application was before the Committee for determination as the land was owned by East Suffolk Council.

The Committee received a presentation from the Senior Planner, who was the case officer for this application. The site's location plan was outlined, and an aerial photograph of the site was displayed, noting the buildings that were planned to be demolished.

Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The proposed block plan was displayed, demonstrating parking, landscaping, warehousing and office space. It was noted that it was a large building, with the plan being to store parts for maintenance for the Offshore Wind Industry, with the applicant seeking to expand its presence in the area.

The material considerations and key issues were summarised as principle, design, amenity, highways, ecology, flooding and drainage and heritage.

The planner noted that they were awaiting comments back from the lead local flood authority and have had no comments from the environment agency.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application with conditions was outlined to the Committee.

The Chair invited questions to the Officers.

Councillor Ashton commented that there was unlikely to be any different results regarding flooding to the report already received for the Nexus application and the Senior Planner agreed.

Following no further questions for the officers, the Chair invited the agent to speak.

The agent confirmed that the applicant was looking to develop warehousing and office facilities on a brownfield site, creating a base to service Wind Farms and significantly increase employment in the area. The applicant intended to operate out of this base and the Netherlands and this would be the head office for the UK. Given the sector the applicant will be operating in, they intended to be a net contributor and the building would be constructed using flood resilient techniques.

There being no questions for the agent, the Chair invited the Committee to move into debate.

Councillor Ashton stated that this development was entirely consistent with ESC Strategy and clearly beneficial for Lowestoft, therefore he was exceedingly happy to propose that the application be approved as set out in the recommendation. Councillor Ashdown agreed entirely, commented that it fell within the Council's priorities, increasing employment, and he was happy to second the proposal.

It was by a unanimous vote

RESOLVED

that the application be approved subject to conditions, as listed below; and subject to any further conditions following final consultation with the Lead Local Flood Authority (LLFA).

Conditions:

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

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

amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with:

- Site Location Plan, 22.08 PL1, received 24/04/2023;
- Proposed Block Plan, 22.08.PL3 Rev D, received 15/08/2023;
- Tracking Plan, 22.08.PL10, received 15/08/2023;
- Trip Generation Technical Note (Transport Statement), MA/VL/P23-2958/01TN, received 15/08/2023;
- Preliminary Geo-Environmental Risk Assessment, 91249.578989, received 10/07/2023;
- Preliminary Ecological Appraisal, Sembmarine SLP 2023-001, received 07/07/2023;
- Proposed Ground Floor Layout Plan, 22.08.PL7, received 07/07/2023;
- Proposed First Floor Layout Plan, 22.08.PL8, received 07/07/2023;
- Proposed Elevations, 22.08.PL9 Rev A, received 15/11/2023;
- Proposed Roof Plan, 22.08.PL10, received 15/11/2023;
- Flood Risk Assessment, 6885-AEA-ZZ-XX-RP-Z-2500, received 28/04/2023;
- Flood Risk Assessment - Addendum, 6885_Hall_Lowestoft, received 23/08/2023;
- Archaeological Evaluation, SU0559, received 21/05/2023;

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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (360 Ecology, June 2023) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices)

to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

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

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

6. Prior to works above ground level an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

7. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include:

- Access and parking arrangements for contractors vehicles and delivery vehicles, including locations and times
- A methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur.
- Measures to contain dust from the site
- Measure to limit noise and light from the site.

The development shall only take place in accordance with the approved strategy.

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

8. The use shall not commence until the area(s) within the site shown in Drawing No. 22.08.PL3 Rev. C for the purposes of manoeuvring and parking of vehicles, including electric vehicle charging infrastructure, 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 and promote sustainable modes of travel.

9. The use shall not commence until the area(s) within the site shown in Drawing No. 22.08.PL3 Rev. C for the purposes of secure cycle storage has been provided, and thereafter, the area(s) shall be retained, maintained, and used for no other purposes.

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

10. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. 22.08.PL3 Rev. C have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to first use of the building.

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

11. Before the development is commenced, 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.

The meeting concluded at 3.56pm.

.....
Chair



Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

09 January 2024

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?	Open
-------------------------------	------

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 13 December 2023. At present there are 16 such cases.

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

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

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *3 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *6 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *1 current case*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *0 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *1 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *4 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 13 December 2023 be noted.

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

A.1

LPA Enforcement Case Reference	ENF/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
<u>Nature of Breach:</u> Change of use of cartlodge to a shop.	
<u>Summary timeline of actions on case</u>	
19/01/2023 – Enforcement Notice served. Comes into effect on the 20/02/2023	
20/02/2023 – Extension of time agreed to 20/10/2023	
21/11/2023 -Site visited, partially complied, further visit to be undertaken.	
<u>Current Status/Position</u>	
Visit to be undertaken	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.2

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022

<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u> 28/03/2023 –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given. 05/07/2023 - appeal against refusal of planning application refused.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.3

LPA Enforcement Case Reference	ENF/2018/0476/USE
Location / Address	Part Os 1028 Highgate Lane Dallinghoo
North or South Area	South
Date of Report of Breach	15.11.2018
<u>Nature of Breach:</u> Siting of a converted vehicle for residential use	
<u>Summary timeline of actions on case</u> 11/09/2023 –Enforcement Notice served. Comes into effect on the 11/10/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11.04.2024

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal

B.1

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

B.2

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

B.3

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

B.4

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

B.5

LPA Enforcement Case Reference	ENF/21/0006/DEV
Location / Address	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
North or South Area	South

Date of Report of Breach	06.01.2021
Nature of Breach: Erection of large fence	
Summary timeline of actions on case 08/08/2023 –Enforcement Notice served. Comes into effect on the 08/09/2023 18/10/2023 - Appeal submitted, statements due 29 th November 2023.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.6

LPA Enforcement Case Reference	ENF/22/0247/USE
Location / Address	Part Land East Of Mariawood, Hulver Street, Henstead
North or South Area	North
Date of Report of Breach	15.11.2018
Nature of Breach: Siting of mobile home	
Summary timeline of actions on case 21/09/2023 –Enforcement Notice served. Comes into effect on the 21/10/2023 23/10/2023 - Appeal submitted, awaiting start letter.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

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

C.1

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due. 11/09/2023 - Appeal dismissed. 4 months for compliance.	
<u>Current Status/Position</u> In compliance period following appeal.	
Date by which Compliance expected (or prosecution date)	12/01/2024

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

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

E.1

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action. 23/10/2023 - Court found defendant guilty and fined a total of £4400. 11/11/2023 - Further compliance date set for 11 th January 2024.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11 th January 2024.

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

F.1

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

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

F.2

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

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>25/07/2023-Site Visit conducted; injunction not complied with. Information sent to legal team.</p>	
<p><u>Current Status/Position</u> With Legal Team</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</p>

F.3

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<p><u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)</p>	
<p><u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

<p>25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.</p> <p>19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30th January 2023.</p> <p>30/01/2023- Court over listed and therefore case relisted for 27th March 2023</p> <p>27/03/2023- Defendant did not attend, warrant issued, awaiting decision from court.</p> <p>31/07/2023- Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.</p>	
<p><u>Current Status/Position</u> Considering legal options following court appearance</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Depending on legal advice</p>

F.4

<p>LPA Enforcement Case Reference</p>	<p>ENF/21/0441/SEC215</p>
<p>Location / Address</p>	<p>28 Brick Kiln Avenue, Beccles</p>
<p>North or South Area</p>	<p>North</p>
<p>Date of Report of Breach</p>	<p>29.09.2021</p>
<p><u>Nature of Breach:</u> Untidy site</p>	
<p><u>Summary timeline of actions on case</u> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p> <p>23/10/2023- Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15th January 2024.</p> </p>	
<p><u>Current Status/Position</u> In court compliance period</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>15th January 2024</p>

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

G.1

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

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

Committee Report

Planning Committee North – 9 January 2024

Application no DC/23/2454/FUL

Location

Doreens Cottage
3 Bridge Road
Reydon
Southwold
Suffolk
IP18 6RR

Expiry date 13 October 2023

Application type Full Application

Applicant Mr & Mrs Brian Reynolds

Parish Reydon

Proposal Retrospective Application - Single storey side and rear flat roofed extension.
Rear first floor pitched roof extension

Case Officer Jamie Behling
07919 303788
Jamie.Behling@eastsoffolk.gov.uk

1. Summary

- 1.1. The proposed development seeks permission to retain the ground floor side extension and first-floor extension as built.
- 1.2. Planning permission was granted in 2021 under ref. DC/21/4038/FUL for a side and first-floor extension at the property. However, it was found, during the construction process, that the first floor extension was projecting out further beyond the neighbour's existing extension, and that the original plans had not been accurate in showing where the neighbour's extension was (relative to the proposed development). It was therefore concluded that the development undertaken was not in accordance with a planning permission. The owner consequently has submitted this new householder planning application to retrospectively gain permission for the development as built. This application includes plans that accurately show both the proposed development; and the extent of neighbouring properties.

- 1.3. The application has been referred direct to the Planning Committee (North) by the Head of Planning and Coastal Management. This is because the application has received objections from the Ward Member, Parish Council and Neighbouring residents; the application is also made retrospectively seeking permission for development that has been carried out without compliance with a previous planning permission granted. The impact of the as-built development on the living conditions (amenity) of adjacent properties in this case warrants debate by the Planning Committee.

2. Site Description

- 2.1. Doreens Cottage is an end terraced, two-storey, residential dwelling located within the settlement boundary of Reydon. It lies on the east side of Bridge Road with an attached neighbour to the north. The site lies within the National Landscape (formerly known as AONB) but not within a Conservation Area. The site also falls within the Reydon Neighbourhood Plan Area. The site is located within flood zones 2 and 3. The rear garden of the site is enclosed by No. 8 Long Marsh to the South; and the garden of No. 2 Bridge Road which wraps around it to the north.
- 2.2. There was an existing ground floor, flat roofed extension on the rear of the building which has no planning history but has been there a significant amount of time without complaint or enforcement action that it is now lawful.
- 2.3. Planning permission was originally granted for a first-floor extension under ref. DC/21/4038/FUL. The Parish Council objected to this application due to the extension projecting out 0.6 metres beyond the rear gable of No.2. After approval, and during construction, it became apparent that the new first floor gable of the application property projected out further than what had been shown on the plans and an enforcement case was raised (ref ENF/22/0386/COND). Upon inspection, the original drawings had shown the neighbour's gabled element as being approximately one metre deeper than it actually is. The applicant made an application seeking a variation of condition (on the original permission) in order to revise the plans; however, it was advised that, as the original plans were not accurate, that such a VOC approval would be flawed; and therefore, it would be better to submit a fresh householder application to regularise the situation.
- 2.4. During this application process it was highlighted by the neighbour that the plans were still inaccurate and that the passageway along the side of the house was narrower than that shown. Upon inspection, by officers, it was confirmed that this was the case - and that the passageway should be shown as the correct width. The agent promptly remedied this. Officers now consider that all dimensions are correctly shown on the plans and that the application can be determined with that comfort that the plans are accurate.

3. Proposal

- 3.1. The proposal seeks to retain the small side ground floor side extension and first-floor extension which was originally built under ref. DC/21/4038/FUL. The details of this application were questioned upon construction, and it was therefore pertinent to regularise extension by submitting a revised planning application retrospectively – as explained above.

4. Consultees

Consultee	Date consulted	Date reply received
Reydon Parish Council	6 September 2023	22 September 2023
<p><i>"The Parish Council objects to this retrospective application on the grounds of overbearing development and negative impact on the neighbouring property at No. 2 Bridge Road, resulting in loss of light, amenity and privacy. The submitted drawings on which the original application was approved (DC/21/4038/FUL) show the first floor extension projecting beyond the building line of No. 2 by 0.593m. The case officer's report treated this as a material consideration in that it mitigated the adverse impact of the projection beyond the building line. The Parish Council's objection to the original application because of the deviation from the building line was judged not to be sufficient justification for refusal. However, the extension as constructed, where the applicant is now applying for retrospective permission, has the first floor projecting some 1.5m beyond the building line of No. 2. This is not what was permitted and is completely unacceptable overdevelopment. The subsequent application for VOC DC/22/4409/VOC, now withdrawn accepted that the submitted drawings were wrong and that this key measurement, on which officers relied in using delegated powers to approve the application, is incorrect. Furthermore, there is another material error in the drawings submitted with this application. The alleyway between Nos 3 and 2 is incorrectly shown as straight whereas it bends significantly. This brings the first floor extension of No 3 much closer than shown to No 2 (it is only 600mm apart). This, combined with the excessive distance of the first floor extension beyond the building line of the first floor of No 2, creates the completely unacceptable loss of light, amenity and privacy of No 2. The errors in the original and this new application represent a significant threat to the integrity of the Planning process and we expect the Local Planning Authority to reject this application and proceed forthwith with enforcement action to restore the light, amenity & privacy of No 2."</i></p>		

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	7 September 2023
<p><u>Ward Cllr David Beavan</u></p> <p><i>"Whilst it is not a material consideration, I did point out to the applicant when he started building that his structure was not aligned with the planning permission. He nevertheless continued unabated.</i></p> <p><i>There seems no consideration for the neighbour in this re-application to mitigate the effect of this mistake.</i></p> <p><i>The loss of light to the neighbour's backyard by protruding beyond the build line has not been re-addressed.</i></p> <p><i>The use of a 45 degree angle when the sun's zenith is only 51 degrees in winter is questionable. The fact that this extension is due South of the neighbour is relevant here.</i></p> <p><i>I also question the use of the whole garden to calculate a percentage loss of light in section 8 the sunlight assessment.</i></p> <p><i>The effect on the backyard is much greater.</i></p>		

We all know that the backyard is where people spend much of their time and it is the main outlook from the living quarters. The loss of natural light leads to dingy conditions with significant loss of amenity.

It would be no surprise if the neighbour was now to build out her side to a new build line, but this is not a reason to allow this retrospective application which could then become a precedent for bidding wars where gardens are overdeveloped locally.

In my view, this case calls in to question the integrity of our planning system."

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	6 September 2023	No response
Summary of comments: No comments received.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Reydon Parish Council	31 October 2023	17 November 2023
<p><i>"Reydon Parish Council wishes (a) to reiterate its objection to this application as submitted on 22.09.23 and (b) to add that the amended (and hopefully now correct) drawings submitted as part of this application show that the first floor extension of No3 is even closer to No2 Bridge Road than indicated previously.</i></p> <p><i>This reinforces all the points made in the Parish Council's previous response and gives further weight to our objections. We urge the LPA to reject this application."</i></p>		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	31 October 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ward Councillor	31 October 2023	No response
Summary of comments: No further comment received.		

Third Party Representations

Two representations of Objection raising the following material planning considerations:

- Loss of light - The increased depth leads to a great loss of light to the neighbouring property;
- Oppression and sense of overbearing - The enlarged first floor creates a sense of oppression in the rear garden of No. 2 to the north; and
- Loss of Privacy - The French windows which now positioned deeper into the garden creates a greater overlooking and therefore more loss of privacy to neighbours.

5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 6 September 2023

Expiry date: 27 September 2023

6. Planning policy

National Planning Policy Framework 2023 (NPPF)

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

RNP10: Reydon Neighbourhood Design Principles (Reydon Neighbourhood Plan, 'Made' May 2021)

7. Planning Considerations

Visual Amenity, Street Scene, and Landscape

- 7.1. Bridge Road is a private road, and all the extensions alterations subject of this application are to the rear and side of the dwelling. Views of the extensions would be visible when approaching from the south; however, the additional flat roof from the ground floor extension would not be overly prominent or out of place extending an existing large flat roof by 0.5 metres in width. The new gable would be seen from the side and would not appear out of place in the context. From a design perspective it is considered that the development carried out still respects the character and appearance of the existing dwelling, and the terrace it forms part of. The development does not harm the character of the village.
- 7.2. It is worth highlighting that the neighbours rear gable, at No.2 (who has objected to the application), has been clad in timber - which was not shown on their original elevational plans under planning permission ref. DC/21/5636/FUL. Cladding was referenced in their Design and Access Statement and description of development but does not appear to be explicitly shown on their drawings. This is not a matter being considered under this application, but it does highlight how genuine mistakes can be made through the application process and discrepancies with drawn detail can happen, without any deliberate attempt to flout planning controls. This only reinforces the requirement to treat retrospective applications without prejudice – and make decisions based solely on the planning merits of the development subject of such applications.
- 7.3. The proposals accord with the design policies of both the Local Plan and Neighbourhood Plan.

Residential Amenity

- 7.4. The main issue to consider with this application is the impact of the proposal on the amenity/living conditions of the neighbour to the north at No. 2 Bridge Road. After a more accurate assessment of what has been built out, the first-floor extension is approximately 0.153 metres deeper than what was shown on the original plans. However, this alone is not the main concern. The original plans showed the neighbour's first floor extension being 3.7 metres in depth when, actually, it was only 2.4 metres in depth. It also showed the gap between both extensions of being 1 metre when the gap was, actually, only 0.7 metres.
- 7.5. The first permission was granted on the basis that *"The proposed two-storey rear extension reflects a similar addition made to the adjoining property. It does project out further by half a metre but is narrower in width in that the extension does not extend across the full width of the rear elevation."* It is now clear that the first-floor extension projects out by approximately 1.7 metres beyond that of the neighbouring extension, and the determining factor is whether this additional depth and closer physical relationship between the two extended dwellings causes such a degree of harm to the residential amenity of the neighbour that this application should be refused, and enforcement action taken.
- 7.6. Regarding loss of light, the applicant has submitted a Daylight and Sunlight Assessment. Officers generally agree with the conclusions of this document which uses the industry standard BRE guidance. Although larger than originally approved, the additional 1.2 metres depth does not appear to unacceptably block light to the neighbouring windows or the garden to the degree whereby the impact on their living conditions would be contrary to policy WLP8.29 (Design) of the Development Plan.
- 7.7. In terms of whether the development is overbearing, the first-floor extension extends out to the building line of the neighbour's ground floor extension. When viewed together from the neighbour's garden, although appearing slightly deeper within certain areas, the first floor extension does not appear to significantly extend out beyond the built footprint of the neighbour's dwelling. When viewed together, both extensions appear acceptable and suitably related to each other and their respective host dwellings. This is helped by the size of the neighbour's garden with only the area directly behind the house being affected.
- 7.8. In terms of loss of privacy and overlooking the neighbour has planted some trees and bushes to try and screen the views into their garden from the new French doors at the first floor. If the proposal was set back a further 1.2 metres from the neighbour's gable as the original plans had portrayed, it would be unlikely that the eye line into the garden area of the neighbour would be significantly different. Arguably you may be able to see more of the garden with the area directly behind the house coming more into view. In any case, the relative depth of the extension is acceptable, as is the fenestration and any views from those glazed areas.
- 7.9. Overall, it is not considered that a reduction of 1.2 metres in depth of the first-floor extension (to revert to the detail shown within the previous approval) would have any significant beneficial impact on the amenity of the neighbour. Whilst officers acknowledge that retrospective applications are unfortunate, they do by their nature allow an actual assessment of real-life, built development. In this case the site visit findings indicate that the built development is acceptable and in accordance with policy WLP8.29 in terms of its impact on residential amenity.

Flood Risk

- 7.10. The site falls within flood zone two and on the edge of zone three, but in an area benefitting from flood defences. As most of the additional floor space is at the first floor and the original consent did not raise any flood related issues or require a bespoke Flood Risk Assessment, a Full Flood Risk Assessment is not considered necessary in this case.

Parking and Highways Safety

- 7.11. The proposal does not increase the number of bedrooms and does not impact on the parking provision of the property.

8. Conclusion

- 8.1. As the design/external appearance has not substantially changed from the original approval and, as noted above, the impact on neighbour amenity is judged to be acceptable, the development is acceptable and in accordance with the Development Plan. That this application has been made retrospectively is immaterial to the decision-taking process and, judged on its merits, this application can be approved.

9. Recommendation

- 9.1. Approve.

10. Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with A04-10-Rev-C received 30/10/23, 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. 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

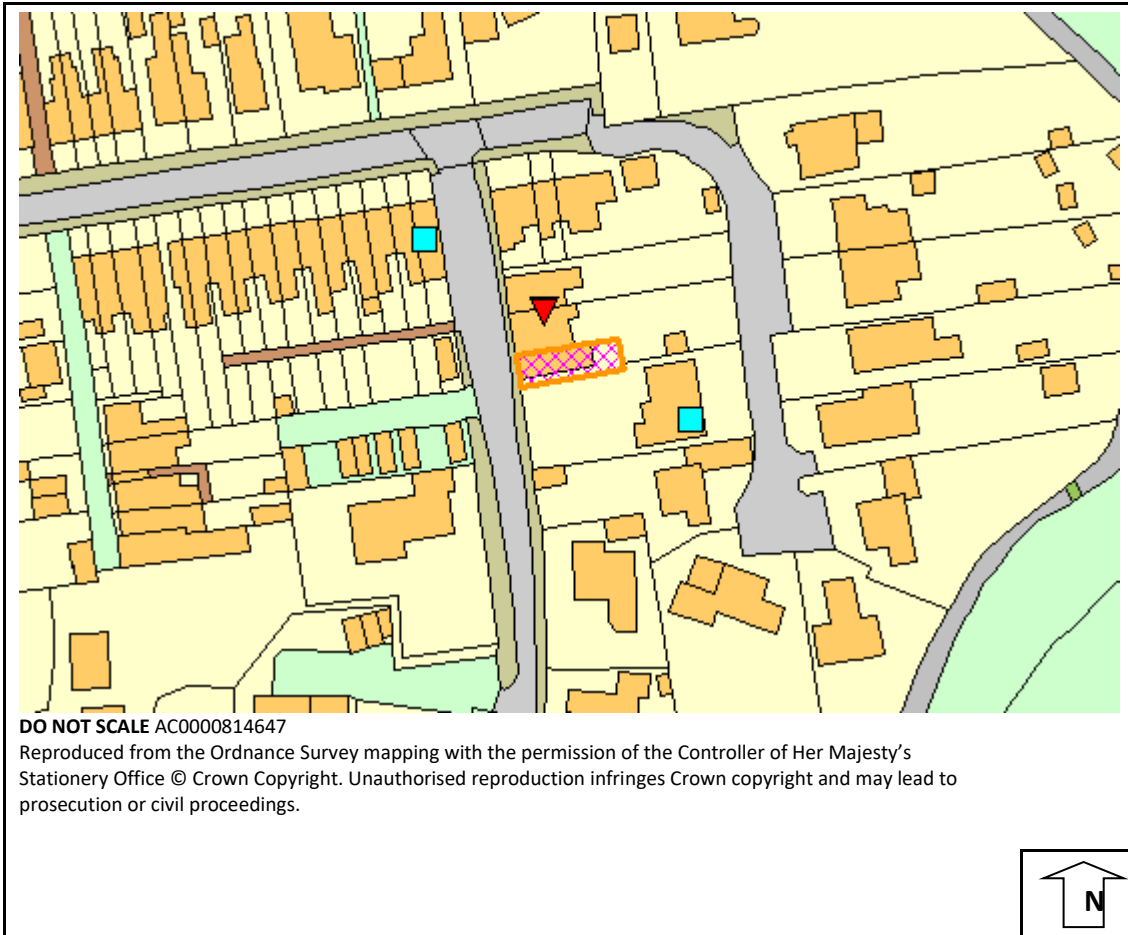
3. The existing and proposed flat roofed areas shall not be used as a balcony, roof garden or similar amenity area.

Reason: In the interests of protecting the amenity of neighbouring residents

Background information

See application reference DC/23/2454/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 9 January 2024

Application no DC/23/3115/FUL

Location

Seacroft
Millfield Road
Walberswick
Southwold
Suffolk
IP18 6UD

Expiry date 3 October 2023

Application type Full Application

Applicant Ms Pip Jenkins

Parish Walberswick

Proposal Part demolition, refurbishment and extension of an existing single family home.

Case Officer Matthew Gee
01502 523021
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the partial demolition of the existing dwelling, refurbishment and extension to the dwelling. The proposed scheme is considered to result in a high-quality design outcome that preserves the existing character and appearance of the Conservation Area and surrounding area. Furthermore, it is not considered to result in any adverse impacts upon the amenity of neighbouring residents or upon nearby European Protected (Habitats) Sites. Therefore, the proposal is considered to adhere to local and national planning policy, and as such it is recommended that planning permission be granted subject to conditions.
- 1.2. The Parish Council raised objections to the application, contrary to the officer recommendation of approval. The application was referred to the Planning Committee (North) by the Referral Panel.

2. Site Description

- 2.1. Seacroft is a two-storey detached dwelling, located within the Settlement Boundary of Walberswick. The property falls within the Walberswick Conservation Area and is situated within the National Landscape designation (formerly known as the AONB). The application site also falls within a known Archaeological Site. The property fronts Millfield Road to the north. Millfield Road is a quiet residential lane that provides shared access to the surrounding neighbouring properties. There are neighbouring properties located to the east (The Beeches) and west of the site (Rippleway and Seaspray). To the south of the site, the property enjoys views over the Dunwich River and the Suffolk coastline beyond. A Public Right of Way runs along the southern boundary of the site, which provides access back to The Street and access down to the coast.

3. Proposal

- 3.1. The proposal is for the part demolition and extension of Seacroft. The demolition includes the removal of the garage, kitchen, W.C, conservatory area and Terrace. The proposed two-storey extension looks to change the current footprint of the dwelling to more of an angle. The proposed extension will provide a kitchen/dining room, snug and utility at ground level. At first floor the extension will provide a living area, terrace, and study. A detached garage/workshop is also proposed to the north of the dwelling.
- 3.2. The proposed materials are to differ to those of the existing dwelling. On the north elevation dark brick is proposed, incorporating the use of Purbeck Stone for the Chimney. A zinc roof is proposed and will also replace the existing roof of the dwelling. There are to be dark aluminium windows incorporated into the roof structure. The south elevation also proposes the use of dark brick with timber boarding to the top. The zinc roof is proposed to have solar panels to the centre of the roof, again with Purbeck Stone being used for the Chimney. The garage is proposed to be of dark brick with a green roof and a timber door.

4. Consultees

Third Party Representations

- 4.1. Nine representations of objection have been received raising the following key concerns (inter alia):
- Access issues
 - Damage to private track
 - Light pollution
 - Out of character
 - Amenity issues
 - Impact on Conservation Area
 - Disrespectful of the existing scale, form or detailing
 - Inappropriate materials
 - Loss of trees
 - Construction disruption
 - Tree protection
 - Potential future uses
 - Impact on AONB

- Ecology impacts

4.2. Two representations neither objecting nor supporting have been received raising the following matters:

- Limiting impact from the south
- Potential loss of trees

Consultee	Date consulted	Date reply received
Walberswick Parish Council	14 August 2023	12 September 2023

Opinion of the Parish Council:

In the opinion of the Parish Council this application should be withdrawn and the comments below relating to materials, landscape and residential amenity addressed by the applicant / agent. If this application is not withdrawn and the points addressed then the Parish Council OBJECTS to the application.

Description

Seacroft is a sizeable detached dwelling, dating from the early to mid 1970s, accessed from a shared driveway. Millfield Road is a private lane with houses of varying dates, including large villas designed by Frank Jennings and other notable arts and crafts architects. The property and its sizeable garden are located within the Walberswick Conservation Area and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). It is proposed to part demolish the existing property and to extend the retained house to the west creating a 5 bedroom house with detached 3 bay car garaging with separate workshop and WC. The Design & Access Statement mentions that the dwelling “will continue to be occupied by a single family as a holiday home” (p20).

Comment and Relevant Policy

The house to be part demolished has no architectural or historic merit, and is currently well screened by trees from the main sweep of Millfield Road. The house and its treed surroundings are visible in long views from the AONB, particularly to the south of the site, and form part of a larger cluster of trees and an important backdrop to the beach, marshes and also the public footpath to the southern boundary of the site.

The proposal looks to create a sizeable dwelling, commensurate with some of the existing larger dwellings on Millfield Road, although the effect that nearly doubling the size of the property will have on neighbours needs to be carefully assessed. The Design & Access Statement contains conflicting comments between the planning officer and the agent regarding the total percentage increase of the proposal, and this should be clarified.

Of concern is the lack of a detailed landscape proposal and strategy, and it is requested that this is supplied to facilitate understanding regarding what trees are to be retained, the extent of any tree works proposed, and any replanting on the site. If correctly handled tree retention / replanting has the potential to greatly reduce the impact this development could have on views from the road, from the footpath and dunes to the south and from the neighbouring properties The Beeches, Seaspray, Rippleway and Millstones. Until detailed information relating to landscape is supplied the application does not satisfy SCLP 11.1: Design Quality, sub-section i.

Roofscapes are important in long views of the village and Conservation Area, often being the only element visible above hedges and trees. The lack of proposed rooflights and dormers to the south facing roof pitch is a welcome element of the design, particularly in a village that values its dark skies.

However, the impact of light spillage from the north facing clerestory window, located just below the ridge, should be assessed against policy SCLP 11.2: Residential Amenity, sub-section f.

The proposed material palette does not display an understanding of village vernacular design and detailing, with materials such as zinc and Purbeck stone being inconsistent with the Conservation Area.

The examples cited as ‘precedents’ within the Design & Access Statement are not from Walberswick, and the proposed ‘dark brick’ is an inappropriate choice in a Conservation Area where ‘Suffolk red’ bricks are often seen. Consequently, the proposed materials should be reconsidered so that the proposal satisfies SCLP 11.1: Design Quality, sub-sections b and c (v) and SCLP 11.5: Conservation Areas, subsection e.

The footprint of the proposed house will maintain the existing boundary distance to the east (with The Beeches), but the extended form means the house will sit in closer proximity to the west boundary (shared with Rippleway and Seaspray). The proposed glazed south west corner to the extension, lighting the main living area, is therefore an unfortunate one given the increased likelihood of light spillage, and is contrary to SCLP 11.2: Residential Amenity, sub-sections e and f. Given the prominent location of the property within the AONB, this application should be referred to the AONB Planning Officer for comment.

Summary

This proposal does not satisfy Local Plan policy regarding materials, light pollution and landscape, and should be withdrawn and resubmitted with the information requested above. If this is not withdrawn and addressed then the Parish Council OBJECTS for the reasons stated above.

Consultee	Date consulted	Date reply received
Natural England	22 September 2023	21 November 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	18 August 2023	26 September 2023
Summary of comments: Internal comments – included in report.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 August 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

SCC Coasts And Heaths Project	14 August 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	14 August 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	14 August 2023	5 September 2023
Summary of comments: No objections following submission of further information.		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	24 August 2023	15 September 2023	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 18 August 2023 Expiry date: 11 September 2023
---------------------	--

6. Planning policy

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

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

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

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

National Planning Policy Framework 2023 (NPPF)

7. Planning Considerations

Design considerations

- 7.1. The application site is situated within the settlement boundary and Conservation Area for Walberswick, as well as a National Landscape. The proposal represents a substantial increase in the footprint of the dwelling; however, the majority of the existing structure of the dwelling will be retained, and as such the proposal is not considered to represent a replacement dwelling, despite the resulting size of the development. Notwithstanding this, the assessment of the application in terms of its impacts upon the wider area, including the Conservation Area and National Landscape is similar. The application site is accessed off Millfield Road via an unmade track, the area is heavily screened by surrounding foliage, and views from the wider Conservation Area (in particular along The Street), which is the main public vantage point, are limited.
- 7.2. The Conservation Area Appraisal sets out that Millfield Road *"is one dominated by large Edwardian villas in mature landscaped grounds which can be occasionally glimpsed behind*

tall hedges and trees. Many of these villas have well-designed gardens which are of considerable interest in their own right, and within the village is evidence that from the turn of the 20th century a tradition grew to construct sunken gardens, probably as a protection against the wind." The application dwelling, however, is not an Edwardian villa, and is a later 1970s addition to the area. The Conservation Area Appraisal also does not identify the building as particular importance, and it is not noted as an unlisted building that contributes positively to Millfield Road. Therefore, whilst the existing dwelling is not deemed to harm the Conservation Area, it is also not noted as being a significant contributor to the character and appearance of the Conservation Area. Therefore, the wholesale loss of the existing character of the dwelling, cannot be considered to harm the Conservation Area if what replaces it is of a high quality design. The key planning test is whether the proposed development would preserve or enhance the character of the Conservation Area.

- 7.3. The proposal, as noted, does involve the wholesale loss of the existing character of the building, and seeks to erect a large two storey extension which has a footprint larger than the existing portion of the dwelling which is to be retained. The application also proposes the cladding of the existing dwelling with dark brick. This gives the existing dwelling and extension a unified visual appearance. The proposed extension is angled into the site, which will, to an extent, limit the visual massing of the extension. The submitted design and access statement identifies that *"the form of the building has been influenced by the immediate context and local vernacular. Key strategic moves:*
- *The extension massing is angled to maximise views towards the river Dunwich and the coastline and better align with the site boundaries.*
 - *The extension echoes the proportions of the existing house, with the new massing and orientation, generating a built form that sits more comfortably at the centre of the site and has a better relationship with the existing properties.*
 - *The rear elevation has linear windows and apertures reflective of the horizontal landscape, unifying the façades of the existing building and extension.*
 - *The new roof has a lightweight clerestory window to appear less dominant and subservient to the existing retained house.*
 - *References to local vernacular; pitched roofs, gables, arts and crafts motifs, expressed chimneys*
 - *Respectful of existing building heights, the new building matches existing levels and heights to ensure extension sites sensitively in context from views to and from the site.*
 - *Creating a recessed balcony on the first floor to maximise the views to the sea, whilst creating a sheltered spot to ensure the outdoors whilst ensuring privacy and minimising overlooking.*
 - *The garage and garden walls are conceived as devices to frame a sense of arrival within the forecourt, whilst also creating privacy from the closest neighbours."*
- 7.4. The design approach taken is also considered to be high quality and, whilst the extension is large, the dwelling and extension - when taken as a whole - are not considered to be out of proportion with surrounding dwellings or represent overdevelopment of the large site. The proposed material palette is not one seen within the immediate Conservation Area; however, it takes inspiration from the coastal area and the materials are of a high quality in line with the architectural ethos of the extension and redesign. Therefore, given the scheme is considered to represent a high quality design outcome, which takes inspiration from the wider area, and the limited views of the site within the Conservation Area, it will

preserve the Conservation Area in accordance with the historic environment objectives of the Local Plan and NPPF.

- 7.5. Views of the site are available from wider afield, notably from the south along the River Dunwich. A level of screening is available due to the foliage in the area and along the southern boundary of the site, but glimpses of the existing dwelling are available. It is likely that the upper portion of the proposed extension will also be visible. This is likely to mean that a level of glazing will also be visible, and therefore an increased level of light spill into the wider surrounding countryside and National Landscape could occur. To limit the level of light spill out from the site the dwelling has taken measures from the '*Lighting Design Guide - Dedham Vale National Landscape and Coast & Heaths National Landscape*' guidance document. This includes:
- No new garden lighting as part of this application.
 - Any external building lighting to be non-intrusive, low-level, downward facing, and will turn off when not in use. Specification to be in-line with recommendations;
 - Not more than 500 lumens
 - Less than or equal to 3000k colour
 - To the rear elevation (looking south towards the coastal path) roof lights have been avoided, and all proposed fenestration to the extension is recessed at first floor with an adjacent solid catslide roof.
 - Windows will be deep recessed in external wall with large over hanging eaves.
 - Ground floor openings set back under balcony.
 - Internal lights installed away from perimeter glazing & Secondary lighting in the form of low-lux lamps.
 - Low level downward facing external lighting on balcony.
 - Curtains & Blinds on windows.
 - Clerestory lights have been positioned facing towards the village.
- 7.6. Given these measures it is not considered that the light spill from the site would significantly increase to a degree whereby it would harm the character or appearance of the National Landscape, nor the setting of the Conservation Area. It is also noted that several dwellings are visible from along the River Dunwich and therefore the dwelling would not appear out of character in the context.
- 7.7. The application includes the removal of 1no. category B trees; 1no. category B group; 2no. category C trees; and 3no. category U trees. It is noted that four of these trees have been granted consent for removal under an application for trees works in a Conservation Area. The remaining trees on the site, notably along the western and southern boundaries, are to be retained. The Council's Landscape Officer has reviewed the application and notes that the trees to be removed are low/moderate quality specimens and are located more centrally within the site, thus being well screened by the boundary vegetation. It is considered that this will ensure that the tree loss will not have a notable detrimental impact on public amenity or the local landscape. The proposal includes construction within close proximity to retained trees and the protection measures given in the Arboricultural Impact Assessment are considered to be sufficient to safeguard their health and longevity.
- 7.8. The proposal is therefore considered to demonstrate a clear understanding of the character of the built, historic, and natural environment - and responds to local context and the form of surrounding buildings in accordance with policy SCLP11.1: Design Quality.

The developments are also considered to be of a high standard of design using high quality materials which - at the very least – preserve the character and appearance of the Conservation Area, conforming to SCLP11.5: Conservation Areas. The development is also not considered to have any significant adverse impact on the natural beauty and special qualities of the Suffolk Coast and Heaths National Landscape, and as such conforms to policy SCLP10.4: Landscape Character.

Amenity

- 7.9. Policy SCLP11.2 (Residential Amenity) sets out that consideration should be given to the potential impacts of the development upon the amenity of neighbouring residential amenity. The application proposes the retention of the existing foliage along the boundaries of the site, notably along the western boundary, which creates a degree of privacy between the application site and Rippleway and Seaspray. There would be an approximately 8.5m distance to the boundary and 21.5m distance to the dwelling of Rippleway; and 11m distance to the boundary and 35m distance to the dwelling of Seaspray. The application does propose glazing on the western elevation facing the boundaries of these properties; however, these serve a voided area, with the nearest first floor area within the dwelling set 5m in from these windows. This would give an (approximately) 26m separation distance between the nearest first floor vantage point in the proposed extension to the nearest side of the neighbouring dwelling at Rippleway. This is considered sufficient distance to remove any significant overlooking and, given the existing foliage to be retained along the boundary, there is not considered to be any adverse impacts from overlooking or loss of privacy to Rippleway.
- 7.10. The existing dwelling has a first floor balcony with vantage views to the west, south and partially east. The proposal includes an external balcony; however, this will be largely recessed behind a projecting element on the western edge, and as such views from that will be limited looking west towards Rippleway. Views looking south-west would not be screen to the same degree; however, given the separation distance, existing screening, and existing balcony it is not considered that the proposed balcony would result in any significant increase in loss of privacy which would adversely impact upon the enjoyment of Seaspray or Rippleway. The main views from the balcony will be south and southeast, this could introduce an increased level of overlooking to parts of the rear garden of The Beeches; however, given the angle of the balcony and retained section of dwelling there is considered to be no overlooking into the rear windows of the Beeches. Therefore, it is not considered that the development would result in any significant overlooking to The Beeches which would adversely impact upon the enjoyment of that dwelling. The proposal therefore accords with the amenity objectives of SCLP11.2.

Biodiversity

- 7.11. A Preliminary Ecological Appraisal including a Protected Species Assessment has been submitted within the application. The location of the proposed development is approximately 170m north of part of the Minsmere-Walberswick Special Protection Area (SPA) and the Minsmere-Walberswick Ramsar Site. The boundaries of these designated sites also overlap with part of the Minsmere-Walberswick Heaths and Marshes Site of Special Scientific Interest (SSSI). Walberswick is bounded as an urban area by the SPA on its north and south sides. There is no specified distance as to when there should be a Habitats Regulations Assessment carried out and it is not essential for applicants to submit a Shadow Habitats Regulations Assessment to inform our own assessment. There is also no

established in-combination effect of development in Walberswick to assess, but in any case, this has been reviewed in this application. Given this proposal is within 200m of the SPA and concerns have been raised locally an assessment has been carried out.

- 7.12. Supported by specialist input from the Council's Principal Ecologist, a Habitats Regulations Assessment (HRA) has been prepared and Natural England consulted on that HRA. The HRA identifies that based on the small scale, residential nature of the proposed development, the significant separation distances involved and the intervening land uses, it is not considered that there are any impact pathways between the proposal and the nearby designated sites. Therefore, these protected sites are screened out of any further assessment as no Likely Significant Effects are considered possible as a result of the proposed development, either alone or in-combination with other plans or projects in the area.
- 7.13. Having considered the proposed avoidance and mitigation measures above, East Suffolk Council conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European designated sites identified. Having made this appropriate assessment of the implications of the project for the identified designated sites in view of those sites' conservation objectives, and having taken the opinion of Natural England, the authority may agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended).
- 7.14. Based on the information submitted, it is not considered that the proposed development is likely to result in significant adverse impacts on protected species or UK Priority habitats or species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), subject to the implementation of the avoidance and mitigation measures identified in the submitted ecological report. From the submitted plans it is also noted that there are a number of trees proposed for removal as part of the development. The ecological enhancement measures identified in the submitted ecological report should also be incorporated into the proposed development, and it is recommended that these are included on the relevant planning drawings to secure this as part of any permission.

Highways Safety

- 7.15. The site is accessed via the Private Road of Millfield Road. The proposed extension will increase the number of bedrooms from three to five. Under SCC Parking Guidelines a 4+ bedroom dwelling should include space for at least 3no. vehicles to park on site. The application proposes a single storey flat roof garage to the side and front of the dwelling, which will provide at least three parking spaces. Therefore, the proposed development is not likely to cause inconsiderate parking upon the highway which would adversely impact on highway safety.
- 7.16. Local concerns have been raised regarding potential impact upon the private road serving the dwelling. Whilst officers acknowledge this concern, any potential damage to third party land is not a material planning consideration that can be taken into account in determining this application.

8. Conclusion

- 8.1. In conclusion, the proposed development is acceptable and in compliance with the Development Plan and the NPPF.

9. Recommendation

- 9.1. Approve with conditions listed in section ten of this report.

10. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
- Site Location and Existing Site Plan, 2214_IFDO_XX_00_DR__A_001, received 08/08/2023;
 - Proposed Location Plan and Site Plan, 2214_IFDO_XX_00_DR__A_100, received 08/08/2023;
 - Proposed Site Plan, 2214_IFDO_XX_00_DR__A_101, received 08/08/2023;
 - Proposed Roof Plan, 2214_IFDO_XX_00_DR__A_112, received 08/08/2023;
 - Proposed Section B-B, C-C, D-D, 2214_IFDO_XX_00_DR__A_200, received 08/08/2023;
 - Proposed North & South Elevations, 2214_IFDO_XX_00_DR__A_300, received 08/08/2023;
 - Proposed East & West Elevations, 2214_IFDO_XX_00_DR__A_301, received 08/08/2023;
 - Proposed Ground Floor Plan, 2214_IFDO_XX_00_DR__A_110, received 08/08/2023;
 - Proposed First Floor Plan, 2214_IFDO_XX_00_DR__A_111, received 08/08/2023;
 - Preliminary Ecological Appraisal, Skilled Ecology Consultancy Ltd., received 14/08/2023;
 - Design and Access Statement, received 14/08/2023;
 - Light Spill mitigation, received 06/10/2023;
 - Arboricultural Impact Assessment (AIA), received 06/10/2023;
- 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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology, July 2023) as submitted

with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

6. No external lighting shall be installed unless a "lighting design strategy for biodiversity" for has been 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.

7. All new glazing installed shall have a Visible Light Transmittance (VLT) of 0.65 or lower.

Reason: To reduce the level of light spill from the site to protect nearby European Protected Sites.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no first floor shall be installed above the room labelled snug on drawing 2214_IFDO_XX_00_DR__A_110.

Reason: To ensure that the amenity of neighbouring residents is protected.

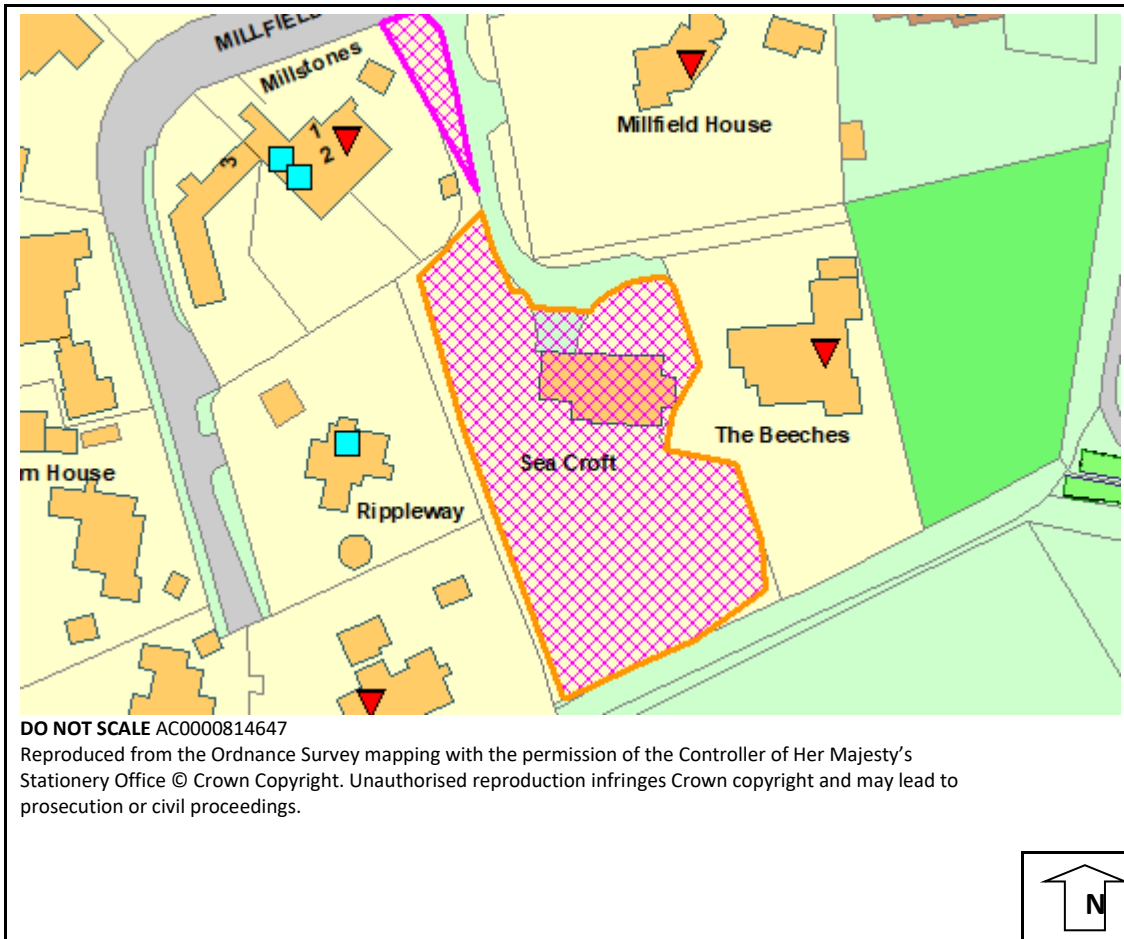
9. No development shall take place until the existing trees on site to be retained, as shown on drawing J231000-GGC-ZZ-ZZ-D-ARB-0101 P01, have been protected in accordance with the measures detailed in submitted and approved Arboricultural Impact Assessment (AIA).

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





Background information

See application reference DC/23/3115/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 9 January 2024

Application no DC/23/3977/RG3

Location

Jubilee Parade
The Esplanade
Lowestoft
Suffolk

Expiry date 28 December 2023
Application type Deemed Council Development
Applicant East Suffolk Council

Parish Lowestoft

Proposal Demolition of existing single storey cafe kiosk, store and public wc block. Proposed new two storey building with a first floor cafe. On the ground floor there will be concessions space, small kiosk, external showers, toilets, and changing places facility.

Case Officer Matthew Gee
01502 523021
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for development comprising the demolition of existing single storey cafe kiosk, store and public W.C. block, and the erection of a two storey building. The proposed structure will comprise concessions space, small kiosk, external showers, toilets, and changing facility (on the ground floor); and a café on the first floor. The application also includes a lift to provide access from the Upper Esplanade to the lower beach level, as well as an extension to the Lower Promenade including a projection out of the existing sea wall in front of the proposed building.
- 1.2. The proposal is considered to enhance the character and appearance of the Conservation Area and, subject to conditions, should not adversely affect the amenity of neighbouring land users. Furthermore, the proposal would provide economic benefits to the area, as well as improving accessibility from the Upper Esplanade to the Lower Promenade, and then onto the beach. The proposal is also acceptable in flood risk terms. Officers are still

awaiting comments from the Coastal Management team who have requested further information in regard to the Coastal Erosion Vulnerability Assessment (CEVA).

- 1.3. Therefore, given the above, officers consider that the proposal would comply with the relevant local and national planning policies, and as such it is recommended that planning permission be granted, subject to receipt of comments from the Coastal Management raising no objections, and with the conditions set out in this report.
- 1.4. The application is referred to the Planning Committee (North), as East Suffolk Council are both the Applicant and Landowner.

2. Site Description

- 2.1. The site is located within the settlement boundary for Lowestoft, and the South Lowestoft Conservation Area. The application site is located at the base of Kirkley Cliffs. To the west is the upper Esplanade and Kensington Gardens. To the east is the pedestrian Lower Promenade (Jubilee Parade South), and then Lowestoft South Beach. The site comprises a 1930s single storey block, containing a food kiosk; Male and Female toilets; and Volunteer lifeguard corps storage. The façade of the pavilion faces east, towards the beach.
- 2.2. The site is accessible by the public on foot from the North and South along the Lower Promenade and from the Upper Esplanade by way of an existing ramped access to the South and stair access to the North.
- 2.3. Vehicular access for emergencies and maintenance is gained from Claremont Pier to the North.

Relevant surrounding planning history

- 2.4. DC/20/1648/FUL - To demolish the concrete beach chalets 1-13 and 22-58. Work necessary to reinforce existing retaining wall and cliff face to prevent land slip and risk to the public. Closure of ramped access - Granted July 2020.
- 2.5. DC/21/1208/FUL - Replacement beach huts on two levels of jubilee parade. Total 72 beach huts, with associated platform, and access stairs. Provision of 6 accessible beach huts. - Granted May 2021.
- 2.6. DC/23/3635/RG3 - Temporary siting of WC facilities and cafe on Jubilee Parade for duration of construction works to new two storey facility. Temporary relocation of beach huts as indicated on drawings – Granted December 2023.

3. Proposal

- 3.1. Planning permission is sought for the demolition of the existing single storey cafe kiosk, store and public W.C. block, and the erection of a two storey building. The proposed structure will comprise concessions space, small kiosk, external showers, toilets, and changing facility (on the ground floor); and a café on the first floor.

- 3.2. The application also includes a lift to provide access from the Upper Esplanade to the lower beach level, as well as an extension to the Lower Promenade including a projection out of the existing sea wall in front of the proposed building.

4. Consultations

Third Party Representations

- 4.1. Two representations of objection have been received raising the following key concerns:

- Lack of seating along the promenade

Consultee Responses

Consultee	Date consulted	Date reply received
Lowestoft Town Council	17 November 2023	5 December 2023
<i>Lowestoft Town Council has considered this application and has agreed to recommend refusal. The Council are concerned there was no permission in place for the construction of the proposed new two storey building and wishes to support the response from the Environment Agency and the evaluation of the Flood Risk Assessment.</i>		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	20 November 2023	6 December 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Historic England	20 November 2023	No response
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	20 November 2023	28 November 2023
Summary of comments: No objections to the general layout but would want to see further hard and soft landscaping details conditioned.		

Consultee	Date consulted	Date reply received
SCC Highways Department	20 November 2023	8 December 2023

Summary of comments: No objections.
--

Consultee	Date consulted	Date reply received
East Suffolk Ecology	17 November 2023	8 December 2023

Summary of comments: No objections, but requested that the feasibility of these additional measures, in particular the planting of shrubs along the cliff, are explored and that they are included as part of the development proposals if they are achievable.
--

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	17 November 2023	6 December 2023

Summary of comments: No objections subject to conditions.
--

Consultee	Date consulted	Date reply received
Natural England	17 November 2023	No response

Summary of comments: No objections.
--

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	17 November 2023	No response

Summary of comments: Further information requested.
--

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	17 November 2023	No response

Summary of comments: No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	17 November 2023	24 November 2023

Summary of comments: No objections but further clarification on design requested.
--

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

East Suffolk Economic Development	17 November 2023	No response
Summary of comments: No comments received.		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	24 November 2023	15 December 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	24 November 2023	15 December 2023	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 23 November 2023 Expiry date: 14 December 2023
---------------------	---

7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* The NPPF affirms the statutory status of the development plan as the starting point for decision-making.
- 7.2. The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The key relevant policies of the Local Plan are listed below:
- 7.3. East Suffolk Council - Waveney Local Plan (March 2019) – policies:
- WLP8.18 - New Town Centre Use Development
 - WLP8.24 - Flood Risk
 - WLP8.29 - Design
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.35 - Landscape Character
 - WLP8.37 - Historic Environment
 - WLP8.39 - Conservation Areas
- 7.4. The 2023 National Planning Policy Framework (NPPF) is a material consideration.

8. Planning Considerations

Principle

- 8.1. The Local Plan notes the importance of the tourism sector to the area's economy and sets out to generally support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.2. The proposal includes a concessions space, a small kiosk, and café, which could be considered as Town Centre Uses. Policy WLP8.18 identifies that where there are no suitable or available sites within town centres or edge of centre sites for the proposed development, town centre use development will be permitted on out of centre sites providing:
- The location is accessible by public transport and is accessible to pedestrians and cyclists;
 - The site has good links to the Town Centre, or links can be improved; and
 - The site will not impact upon other neighbouring uses, in terms of traffic, parking, and amenity issues.
- 8.3. In this instance the proposed uses are intrinsically linked with their position along the sea front, and as such would clearly not have the same benefit were they located within the Town Centre. The application site is also well located and accessible by public transport, pedestrians, and cyclists, with good walking links to the Town Centre and no adverse impacts upon other neighbouring uses as identified within this report. Furthermore, it is noted that the café use, albeit in a different form, is currently in place within the building which is proposed to be demolished. Therefore, the application is considered to accord to policy WLP8.18.
- 8.4. Furthermore, the proposal will also provide facilities for the public including improved public amenities. Policy WLP8.22 sets out that *"Proposals for new community services and facilities will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it will serve and would not adversely affect existing facilities that are easily accessible and available to the local community"*. The proposal is considered to fulfil requirement of this policy by providing a development which provides a betterment in terms of facilities to the public. Furthermore, the proposal provides significant accessibility benefits compared to the existing facilities which it is replaces.

Economic Considerations

- 8.5. As set out in the above section, the tourism industry plays a very important role both within the economy of Lowestoft and the wider economy of East Suffolk. Whilst the seafront is rightly considered the jewel in the town's crown, it is in an area of deprivation. Therefore, it is vital that innovative new concepts are created and implemented to regenerate this area. It is important to create an uplift to enhance the lives of the community and radically improve footfall and spend to grow the tourism economy. Covid-19 highlighted the need to develop services which provide a year-round experience and spread income for businesses across a 12-month period. The current proposal is one of several important projects set out within the Seafront Vision, the South Seafront

Masterplan and the Lowestoft Town Investment Plan, which aim to enable much needed regeneration. This current proposal will deliver the outcomes of the strategic objectives that are set out in the Town Investment Plan, which are to:

- Provide a town which retains and attracts young people to work and live here;
- To transform the core of the town centre and seafront to increase footfall to grow the day and evening economy and provide social space for the community and visitors; and
- To enhance facilities and the public realm to provide a safer, more attractive environment that improves the physical and mental wellbeing for the community and visitors.

- 8.6. The proposal is part of an ongoing programme of seafront improvements, that has been in development since 2018, delivering several key projects to provide an uplift to the area. The further delivery of this programme of projects will build upon the investments and improvements already made to the seafront. This will set the foundations for future growth and development that will promote the seafront further, as a destination place to increase footfall and spend.
- 8.7. The design of the pavilion has been carefully considered to respond to the local context and scale, whilst also providing significant public benefit in the form of improved accessibility and facilities, which will create a unique selling point for the town and for the district and will encourage new visitors to come to Lowestoft, which will support the towns tourism economy and encourage future inward investment and growth. It is also envisioned that this, along with the other works along the seafront, will act as a catalyst to bring forward the future ambitions for the wider economic development and regeneration of the area.
- 8.8. The East Suffolk Report 'The Economic Impact of Tourism', 2019, shows 12.5m trips to the District with an associated spend of just over £43m. The report indicates that tourism within the District continues to increase, with an increase in overall trip expenditure and local business turnover supported by tourism. Furthermore, it is accepted that post Covid-19 the domestic staycation market is likely to grow.
- 8.9. In addition, the proposal will provide short term economic gain to the area through job creation linked to the construction phase of the works.
- 8.10. For the reasons given, it is therefore deemed that the proposal would provide significant benefit to the local economy through an enhanced tourism offer, improved seafront, and resultant spend in the local economy.

Design and Heritage

- 8.11. Policy WLP8.29 sets out the local planning authorities design aspirations for new development within the local area, including that proposals should "*demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness*". With it going on to state that development should, respond to local context and the form of surrounding buildings in relation to:

- the overall scale and character
 - layout
 - site coverage
 - height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular;
- 8.12. The site is within the South Lowestoft Conservation Area, and as such policy WLP8.39 stipulates that development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. This reflects the statutory duties of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and heritage objectives of the NPPF.
- 8.13. The site is situated within the Seafront character area of Lowestoft South Conservation Area. It is identified, along with the beach huts, as making a positive contribution to the character of the Conservation Area. This contribution is linked more to the communal value of this public building and public realm rather than any architectural merit, with the existing building design being simple and functional.
- 8.14. The Conservation Area Appraisal identifies *'the opportunity to enhance accessibility through some areas of public realm, particularly the steep slopes and steps which currently connect the Upper and Lower Promenades and are currently not suitable for wheelchair users or people with mobility issues'*. It goes on to highlight that *'there are also plans to make the South Beach accessible by wheelchair; this will be hugely beneficial to the area and enhance accessibility of this key asset within the Conservation Area, allowing for larger numbers of visitors to experience and appreciate the area. This is in line with the Lowestoft Coastal Community Seafront Strategy (2015), which prioritises accessibility of the seafront for all.'*
- 8.15. The proposal is a bold approach, both in regard to the two-level design, with protruding lift shaft to the upper esplanade, and the contemporary design of the building. It is appreciated and acknowledged that this is a departure from the traditional form of development along the seafront, but there are similar examples of structures in beach front locations across the UK. The submitted Design and Access Statement sets out the design approach, noting:

"The project will deliver a high quality design which will preserve the character and appearance of the Conservation Area. A heritage impact assessment is included in supporting of the application.

The proposal when viewed from the beach or along the South Parade is designed to have strong linear separation between the levels. It has prominent vertical columns arranged to represent the continuation of the structure of the raised floor of the beach huts to the south which was completed in 2022.

The lift shaft is an important part of the proposal not just as part of accessibility but also as a beacon for the pavilion. It will be visible from a distance and attract people to come, but will not be overbearing at the lower promenade level.

The pavilion material is chosen to be robust, sustainable for the seaside location and enhance the area. With the use of full height glazed walls, coloured glazed bricks, steel / concrete frame and a zinc clad lift tower.

The landscape elements are integral to the overall design to provide accessibility thought the site"

- 8.16. Adjacent to the application site, to the south, are beach huts which are of a contemporary angled design with a mono pitched roof. These are clad in timber boarding in a range of complementary colours. It is considered that the proposed contemporary design relates well to the modern adjacent beach huts. Planning and Conservation Officers consider that the existing single storey block, whilst a historic building at around 100 years old, has limited significance with a simple and functional appearance but is at the end of its useful life. It's replacement with a high quality, contemporary designed building with improved public amenities as proposed would enhance the character and appearance of the Conservation Area. The proposal also brings wider improvements such as accessibility, which are also a significant benefit of the scheme providing access to this part of the beachfront.
- 8.17. The nearest Listed Building to the site is within Kessingland Gardens on the opposite side of the Upper Esplanade. This is the Grade II Listed Richard Henry Reeve Memorial. The only significant visual elements of the scheme that would be seen within the setting of this listed Memorial is the lift shaft.
- 8.18. The DAS calls the lift tower the 'beacon' of the scheme. Officers note that this has an almost simple functional design with a plain grey zinc finish. But its design is essential for its operation as a lift shaft. It is also understood that ongoing maintenance costs as well as life span issues of external materials, given its exposed position, were a consideration in the proposed choice of materials.
- 8.19. Officers do note that this seems like a missed opportunity to have a more decorative element that contributes to the identity of the wider scheme given the prominence of the lift tower in views from the upper promenade and longer views. Therefore, to allow further consideration of any final detailing and/or materials, a condition is proposed to require the submission of further details. This would allow the project to proceed as required.
- 8.20. The proposal is therefore considered to result in a low level of harm to nearby designated heritage assets (Grade II Listed Richard Henry Reeve Memorial), the NPPF balancing exercise at paragraph 208 is engaged. However, given the significant economic and social benefits arising from this scheme which weigh strongly in its favour, it is considered that the minimal degree of harm is far outweighed by the benefits of the scheme.
- 8.21. This proposal is considered by officers to enhance the character and appearance of the South Lowestoft Conservation Area. There would be no harm to this designated heritage asset in conformance with the requirements of the Planning (Listed Buildings and

Conservation Areas) Act 1990. As such it is not deemed that the relevant tests of the NPPF at paragraphs 207 and 208 are not applicable.

Amenity

- 8.22. Policy WLP8.29 sets out that proposed development should, amongst other things, protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. The proposal does represent an increase in the level of development in the area compared to the existing single storey building, which could result in an increase in activity in the area. However, this is not considered to result in such a marked increase in noise or activity in the area or have any adverse implications on people using the promenade or beach that amenity issues would result.
- 8.23. The development does have the potential to give rise to disturbance to the occupiers of residential premises along Kirkley Cliff Road due to noise and odours from the proposed kitchen facilities. The submitted document 'Control of odour & noise associated with a commercial kitchen' sets out that:
- "Strategies have been embedded into the design to consider the impact of the proposals with detail to be controlled via a suitable planning condition.*
- The ground floor café will be a small kiosk style café with a limited menu. A small kitchen will require suitable ventilation to outside and this forms part of the detailed ventilation & extraction design for the project.*
- The first-floor restaurant will have a larger commercial kitchen with the fitout undertaken by the operator, currently unknown. A strategy will be provided that sets limitations on noise control, the proposed filtration plant, its ducted route and its final discharge position."*
- 8.24. The strategy goes on to set out that potential odour sources would be cooking equipment in the restaurant kitchen and café kitchen. Filtration system design will be put in place so there is little / no residual odour. Noting that these control & mitigation measures can form part of a suitably worded condition.
- 8.25. The environmental protection team have reviewed the information and raise no objections to the principle of the development but have requested that conditions be added requiring details of all fixed plant or machinery, as well as odour control measures be submitted to and approved by the local authority prior to their installation.
- 8.26. In addition, the nearest residential property to the site is located approximately 130m from the cliff, and therefore the proposal is not considered to have any adverse impacts on the amenity of nearby residential properties, in terms of any loss of light or outlook, because of that significant separation distance. It is also considered that the proposal represents an expected seaside activity that will likely add to the vibrancy of the area, rather than causing any harm to local amenity.
- 8.27. The proposed development is deemed to be acceptable in amenity terms in accordance with WLP8.29.

Accessibility and Highways

- 8.28. The proposal does represent a potential marked increase in visitors to this locale, and therefore there is likely to be some increased vehicular activity in the area. However, there are several public car parks along the sea front, and it is not considered that the development would directly result in dangerous parking that would adversely impact on highway safety in the area. The proposal would likely bring some more visitors to the beach, but there is considered to be capacity within the local highways and parking network to accommodate any increase. The proposal also includes cycle storage for visitors to the pavilion both on the Upper Esplanade and as part of the proposed projecting lower promenade.
- 8.29. Suffolk County Highways Authority have raised no objections to the application. Officers have assessed the scheme against the requirements of the NPPF (paragraphs 114 and 115) and the sustainable transport objectives of policy WLP8.21, it is officers view that the scheme is acceptable in highways safety, parking, and accessibility terms.
- 8.30. Currently, the majority of the cliff scores between the upper and lower promenades are not suitable for wheelchair and buggy users due to the gradient of these slopes. Currently, the nearest wheelchair accessible ramp to access Jubilee Parade is located at Claremont Pier, some 650m away. It is likely that there are many people who cannot, or find it difficult to, access this part of the lower promenade due to this barrier.
- 8.31. One of the significant benefits arising from the scheme would be the improved accessibility. This includes the installation of the lift between the Upper Esplanade and Lower Promenade. The installation of which should address several of these current challenges associated with access. Furthermore, the changing facilities at East Point Pavilion and the boardwalk near the pagoda are well used. The proposed pavilion will also include changing facilities meaning that those with mobility issues or anyone that needs to use a wheeled device, will be able to enjoy this part of the beach as well.
- 8.32. An extension of the promenade is proposed in front of the pavilion building, which would provide the following:
- A turning area for emergency vehicles
 - Additional space for seating near the concessions
 - Space for bin storage
 - Additional access to the beach by ramp and steps
 - Seating with views to the water from seating edging the raised planter or seating steps.
- 8.33. The provision of a turning area is also a key benefit of the proposal as currently emergency vehicles wishing to access this area would need to drive down and then reverse back up the lower promenade. It would also allow for increased accessibility onto the beach, providing a step free access from the Upper Esplanade to the beach. The reconfiguration of the promenade and addition of the build out will also provide an opportunity to subtly adjust the cross fall of the promenade which currently is at 3.5 - 5% which exceeds the standard which is comfortable for disabled users.

Coastal Erosion

- 8.34. A Coastal Erosion Vulnerability Assessment (CEVA) has been prepared with the submission. The Council's Coastal Management Team are currently reviewing the application but have requested further information from the applicants' agents regarding the works. As such, at the time of writing this report, no formal comments have been provided by the team. Therefore, an update will be provided within the update sheet to members before planning committee.

Flood Risk

- 8.35. The site is located in close proximity to the North Sea, and therefore part of the site falls partially within Flood Zone 3a, but when accounting for climate change there is likely to be increased flood risk in the area, and the area is defined as having a high probability of flooding. The proposal is for the demolition of an existing building and replacement with a new two-storey building including a kiosk, toilets, changing facilities, and a café, which the Environment Agency define as a 'less vulnerable' use under Annex 3: Flood Vulnerability Classification of the National Planning Policy Framework (NPPF).
- 8.36. A Flood Risk Assessment has been submitted with the application and details the potential risk from flooding including:
- The site lies partially within the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change.
 - Finished ground floor levels have been proposed at 3.86m AOD. This is below the 0.5% (1 in 200) annual probability flood level including climate change of 4.51m AOD. Therefore, the development is at risk of flooding internally by 0.65m depth in this event.
 - Finished first floor levels have been proposed at 7.30m AOD and therefore there is refuge for users of the development above the 0.1% (1 in 1000) annual probability flood level of 5.01 m AOD.
 - The minimum ground level at the site is 3.22m AOD and therefore maximum flood depths on site are 1.29m in the 0.5% (1 in 200) annual probability flood event including climate change. Assuming a velocity of 0.5m/s the flood hazard is a danger for most including the general public in this event.
- 8.37. Therefore, this the proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain. The Environment Agency have advised that they have no objections to the proposed development on flood risk safety grounds because the FRA states that a Flood Warning and Evacuation Plan should be prepared. Therefore, a condition will be applied that a Flood Warning and Evacuation Plan is prepared and approved by the LPA prior to first use of the building.
- 8.38. The FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding. This includes that the ground floor is to be constructed from a solid concrete slab which will have a suitable washable surface with carpets avoided. The walls will also be lined using gypsum plasterboard which can easily be replaced if damaged.
- 8.39. Furthermore, all service entries shall be sealed (e.g., with expanding foam or similar closed cell material) to prevent flood water accessing service conduits. Closed cell insulation is

also proposed to be used for pipes which are below the predicted flood level. Where there is a risk of the foul water surcharging, non-return valves in the drainage system have been recommended to prevent back-flow of diluted sewage. Wiring for telephones, TVs, Internet and other services is also proposed to be protected by suitable insulation as well as the distribution ducts to prevent damage.

- 8.40. The proposal is considered compatible development with its surroundings, given the use for amenity and recreation purposes, associated with enjoyment of the seaside. Of course, by this very nature, a pavilion of the purpose proposed would be located in areas where tidal flooding is a risk. Furthermore, the site has previously been used for similar purposes, and therefore the risk is not considered significant. Sequentially it is considered that the pavilion in this location is an appropriate form of development, given the obvious need to be located close to the beach, and that the proposal is unlikely to result in increased flood risk in other areas nearby.
- 8.41. For the reasons given, the scheme is acceptable in flood risk terms in accordance with WLP8.24.

Sustainability

- 8.42. Policy WLP8.28 sets out the local plan policy approach to Sustainable Construction. Whilst this mainly relates to major development, which this development is not, it is still worth consideration. The applicant has submitted an Energy Statement in specific response to Policy WLP8.28 of the Waveney Local Plan (2019), and commitment to sustainability.
- 8.43. To compliment the building fabric improvements, several passive design solutions are proposed inclusive:
- Water efficient sanitaryware fittings to reduce water consumption
 - Variable speed pumps on all secondary circuits to reduce energy consumptions and ensuring pump operation matches demand
 - Optimisation on heating and cooling plant to ensure systems turn on/off at appropriate times based on the buildings thermal response
 - Building services zoning strategy to ensure energy is not wasted by servicing vacant areas of the building
 - On demand ventilation control linked to CO2 sensors in first floor café to ensure energy efficiency is maximised by only delivering the necessary amount of air
 - Highly efficient ventilation systems inclusive of highly efficient, low energy local mechanical heat recovery units in Café (specific fan power - 1.2 W/L/s)
 - Highly efficient, low energy LED lighting throughout inclusive of comprehensive controls and the provision of daylight dimming in spaces with direct access to natural daylight (large expanse of glazing to Sea Front elevation)
 - Metering installation to allow monitoring of major energy uses
- 8.44. The submitted Design and Access Statement sets out that *"Given that the building is located on the Coast with a relatively large flat roof, renewable technologies were considered. The first technology considered being a solar photovoltaics array as they offer proven returns in regards monetary incentives and energy generation. However following discussions with the Client, it was ruled out of the design as concerns were raised over potential issues with vandalism and also life expectancy in such an exposed location therefore have not been included."*

Other matters

- 8.45. Concerns have been raised regarding the loss of seating used in connection with the existing café use. Whilst table and chairs have been placed along the lower promenade it is understood that these are not strictly permitted. Furthermore, it is noted that there is space on the ground floor of the pavilion for some table and chairs, and the proposed planter on the promenade extension also includes a large timber seating wall which will also allow views across the beach.

9. Conclusion

- 9.1. The National Planning Policy Framework sets out the statutory status of the development plan as the starting point for decision-making and requires a presumption in favour of sustainable development. The proposal represents high-quality contemporary design that will be a positive and vibrant feature in the South Lowestoft Conservation Area. The proposed development would have no adverse impacts on the amenity of neighbouring land uses and is considered to have no adverse impacts on highway safety or pedestrian movements in the area.
- 9.2. Furthermore, the proposal is considered to bring public benefit through enhancing the tourist offer within the town and the benefits arising from associated spend in the local economy. The proposal will be a positive for the town through regeneration of a prominent seafront location, as well as providing much improved accessibility to the lower promenade and beach area. Therefore, the proposed development is considered to accord with the Development Plan and is recommended for approval.

10. Recommendation

- 10.1. It is recommended that planning permission be granted subject to receipt of comments from the Coastal Management raising no objections, and with the conditions set out in this report.

11. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Site Location Plan, 210 P2, received 16/10/2023;
 - Proposed Site Layout Plan, EEPT-212 P2, received 16/10/2023;
 - Landscape Layout, 0501 P04, received 16/10/2023;
 - Proposed Elevations, EEPT-301 P4, received 16/10/2023;
 - Proposed Ground Floor with Landscape, EEPT-202 P5, received 16/10/2023;
 - Proposed First Floor & Roof Plans, EEPT-203 P5, received 16/10/2023;
 - Proposed Upper Promenade with Landscape, EEPT-204 P5, received 16/10/2023;

- Coastal Erosion Vulnerability Assessment, 218414-CCL-ZZ-XX-RP-C-05000 Rev:P01, received 16/10/2023;
 - Design and access Statement, 6873 / Rev P1 / October 2023, received 16/10/2023;
 - Flood Risk Assessment and Drainage Strategy, 218414-KS-00-XX-RP-C-001 Rev:P01, received 16/10/2023;
 - Control of odour & noise associated with a commercial kitchen, EEPT-CF-ZZ-XX-RT-A-6899, received 01/12/2023;
- 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 (except for the cladding to the lift shaft) 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. Prior to first use of the building, hereby approved, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Flood Warning and Evacuation Plan shall be created in conjunction with the submitted and approved Flood Risk Assessment (reference 218414-KS-00-XX-RP-C-001 and dated October 2023)

Reason: To ensure the proposal is flood resilient and safe in the event of flooding

5. Prior to the installation of any fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant), a noise assessment should be submitted to include all proposed plant and machinery and be based on BS4142:2014+A1:2019.

A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved at the nearest noise sensitive receptor. Where this noise rating level cannot be achieved, details of any noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

All equipment and/or measures included within the approved noise assessment should be installed in accordance with the approved details.

Reason: To protect the amenity of the area.

6. With reference to best practice contained within the latest edition of EMAQ+ Guidance "Control of Odour and noise from Commercial Kitchen and Exhaust Systems", all extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises.

Before the installation of such a system, details of -

- Type, size and location of the filtration plant, ventilation or similar equipment,
- The sizes and route of the ductwork, and

- The exact location of the final discharge point, including details of odour control and filtration equipment proposed to be fitted.

These details shall be submitted to and approved by the Local Planning Authority prior to the first use of the kitchen. Only the approved scheme shall be installed at the premises, and shall be fully functional prior to the first operation of the business, and be retained thereafter.

Reason: To protect the amenity of the area.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Wilder Ecology, October 2023) 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.

8. No works to or demolition of buildings or structures that may be used by breeding birds shall take place between 14th February 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.

9. Prior to the removal and/or replacement of any of the cliff top wall along the upper promenade, full details of the any of the repairs and/or replacements shall be submitted to and approved in writing by the local planning authority.

Reason: To preserve the character and appearance of the Conservation Area.

10. Prior to any new works of construction above slab level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials, and any necessary proposed functional services above and below ground. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

The landscaping scheme shall be completed within 6 months from the completion of the proposal, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

11. Prior to construction of the bin storage areas, full details of the bin storage, including means of enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The approved bin storage areas shall then be constructed and made available prior to first use of the development hereby permitted.

Reason: To preserve the character and appearance of the Conservation Area.

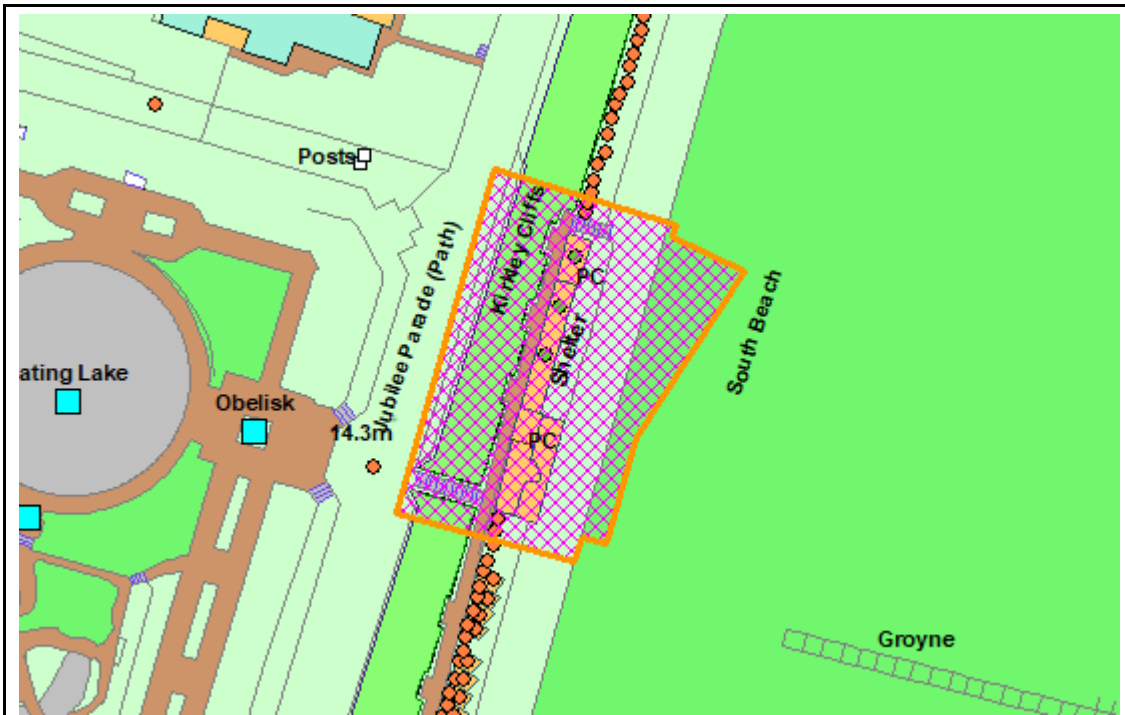
12. Prior to their first use on site, full details of the proposed cladding material to the lift shaft shall be submitted to and approved in writing by the Local Planning Authority. The lift shaft shall then be clad with the approved materials prior to its first use.

Reason: To preserve the character and appearance of the Conservation Area.

Background information

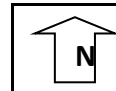
See application reference DC/23/3977/RG3 on [Public Access](#)

Map



DO NOT SCALE AC0000814647

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North - 9 January 2024

Application no DC/23/2832/RG3

Location

Public Realm Spaces Of Royal Plain,
Royal Terrace, Royal Green And
Adjacent Seafront Esplanade, Plus
South Quay (west) Beside Bascule
Bridge Centred Around East Point
Pavilion
Royal Plain
Lowestoft
Suffolk
NR33 0AP

Expiry date 2 November 2023
Application type Deemed Council Development
Applicant East Suffolk Council

Parish Lowestoft

Proposal
Royal Plain: New fountain installation in existing location, including hard and soft landscape improvements with plantation & boulder features, raised planters with trees, and lighting improvements.
Royal Green: New access routes and soft landscape improvements including trees with bespoke seating and outdoor gyms, plus EPP courtyard improvements, and new play area, also cycle hub to existing car park.
South Quay: Hard & soft landscape improvements as pocket park.

Case Officer Joe Blackmore
07887 454208
Joe.Blackmore@eastsoffolk.gov.uk

1. Summary

- 1.1 This application seeks planning permission for public realm works across three areas in Lowestoft. The application is made by East Suffolk Council, on Council-owned land, and therefore the application is brought direct to the Planning Committee (North) for determination.
- 1.2 The proposed public realm works will create an array of attractive and enjoyable spaces that will contribute to wider regeneration efforts in the town. This project is one of the key schemes to be delivered via the Towns Fund, and the detailed works set out in this planning application are in accordance with the Development Plan. Therefore, planning permission can be granted.
- 1.3 The recommendation is Authority to Approve, subject to any final (minor) design revisions; and receipt of comments from the Local Lead Flood Authority (LLFA) and Suffolk Highways Authority confirming no objections.

2. Site Description

2.1 The application site covers three distinct areas:

- Royal Plain;
- Royal Green (including the Esplanade edge, East Point Pavilion (EPP) Courtyard, Car Park, and Play area); and
- South Quay.

Royal Plain

- 2.2 Royal Plain is the gateway to the seafront, and an area of public realm consisting predominantly of square beige granite and precast concrete paviours, block paving to carriageways, stainless steel and timber street furniture, distinctive lighting columns, and in-ground trees, with occasional art-based features. The area is focussed around the East Point Pavilion, which re-opened in 2022. The site is also surrounded by The Royal Norfolk & Suffolk Yacht Club to the north (a Grade II* Listed Building); the South Pier Amusements building to the east; and the Iconic and Harbour Inn bar / restaurants to the west.
- 2.3 Royal Plain is part of a designated Pedestrian Zone, edged to the west and north by the Royal Terrace and South Pier access carriageways, and to the east by the Esplanade. The fountains are not currently functioning. The space includes the Grade II listed War Memorial, adjacent the Grade II* listed Royal Norfolk & Suffolk Yacht Club to the north, and then the more distant Grade II listed Triton Statue to the east across the Esplanade. Other features include the Sunrise scheme Mosaic artwork. Royal Plain is the key gateway space to the seafront leading both to South Pier and the 'Children's Corner' Beach.

Royal Green

- 2.4 Royal Green is the open green space along the start of the Esplanade heading south along the Seafront from Royal Plain / South Pier. It faces onto the area of South Lowestoft's north seafront recently changed by improved sea defences, with its groynes and banks of

boulders. The space is backed by the strong terrace architecture with distinctive chimney stacks of Marine Parade, which is fronted by a continuous car park.

- 2.5 The space is contained along its west and east edges by the car park with its barrier rails and low level wall with events infrastructure (feeder pillars, etc) along the esplanade respectively. There are existing cross-routes, but these are not well-aligned with zebra crossings in the car park and are all obstructed by car parking. The car park has progressively increased in size over time, and now functions as a barrier between Marine Parade and the Esplanade. There is no shade or shelter provided across Royal Green, and no planting.

South Quay

- 2.6 South Quay is a separate and distinct space from the Seafront on the other side of Pier Terrace / A12, to the immediate south west of the Bascule Bridge. It faces the old Port House site to the north, with which it forms a gateway to the Inner Harbour, Lake Lothing, and Oulton Broad.
- 2.7 This area is a space between the redundant dock edge to north, terrace end/rear to south, and Associated British Ports' (ABP) undeveloped land to the west. The site is mostly dominated by informal parking, as well as various infrastructure features relating to underground utilities (including sewer). The site is used as a cut-through by cyclists, as well as pedestrians, along the terrace rear. ABP are due to remove the suspended concrete dock section, and ESC own a portion of land further west along the quayside.

3. Proposal

- 3.1 The detailed proposals are broadly summarised below.

- Royal Plain: New fountain installation in existing location, including hard and soft landscape improvements with plantation & boulder features, raised planters with trees, and lighting improvements.
- Royal Green: New access routes and soft landscape improvements including trees with bespoke seating and outdoor gyms, plus EPP courtyard improvements, and new play area, also cycle hub to existing car park.
- South Quay: Hard & soft landscape improvements as pocket park.

- 3.2 In response to feedback from various consultees, amended plans were provided on 16 November 2023; key changes are described and considered in the Planning Considerations section of this report.

4. Third Party Representations

- 4.1 One letter of objection has been received from a resident at 2 Pier Terrace, raising the following concerns:

"I am writing regarding the plans for South Quay along the side of pier terrace. We are number 2 pier Terrace and taking the car park away will result in us breaching our planning consent from 1991-1992. I gave the relevant info and paper work at the East pavilion when you did a public consultation but havnt [sic] heard back since apart from the email to confirm it was being looked at. Please can you let me know what is going to happen on this matter."

Officer commentary on this objection:

- 4.2 In 1991, planning permission ref. DC/91/0320/FUL (alt. reference W6677/11) was granted for the change of use at No.2 Pier Terrace to a Taxi-Office (ground floor) and three flats (upper floors). There were no planning conditions on that consent requiring the provision of any specific parking spaces in perpetuity; there were actually no conditions at all in regard to parking. However, the Planning Committee at that time resolved to grant planning permission subject to a lease agreement being entered into with the Council to secure three additional car parking spaces to the rear of No.2. From discussion with colleagues in the Asset Management Team, it appears that there was likely an annual licence agreement/parking permit for the spaces, rather than any formal lease. In any case, there is no record of a formal lease in the name of the resident at No.2 that has raised objections.
- 4.3 From a planning perspective, there are no conditions or section 106 obligations requiring long-term provision and retention of parking spaces linked to No.2 Pier Terrace. Therefore, whilst understanding the concern raised, this proposal would not lead to any conflict with existing planning permissions. Officers have also reviewed the entire planning history for Pier Terrace and found no other issues of this nature. The ground floor uses of the terrace now all appear to be a mix of restaurants/hot-food takeaways and retail, with the Taxi-Office use changing to a retail use sometime around 2017/2018.

5. Consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	11 August 2023	3 November 2023
<p><i>Apologies for the delay in coming back to you but there has been quite some debate over this one.</i></p> <p><i>The Town Council's recommendation is for refusal of the application as it is currently presented. There is still concern for the design and layout and how that will impact on the use of the area. There are many comments listed in the ESC Landscape Officer's response particularly about the physical and visual barriers elements of the scheme will create.</i></p> <p><i>The Town Council would also wish to support the concerns from Suffolk CC Flood and Water and note that Suffolk Highways require additional information before they can support the scheme.</i></p>		

The boulder structures are felt not appropriate for the setting and add nothing to the use of the public realm.

It is difficult to pick our assurances regarding the protection of the war memorial in the application form and details submitted. We would ask that any grant of permission has this built in.

Also, one public comment on the planning portal, perhaps, as the Town Council commented at the time, a very poor public consultation period for this one?

Consultee	Date consulted	Date reply received
Historic England	11 August 2023	30 August 2023

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 199, 200 and 202. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	11 August 2023	29 August 2023

A holding objection is necessary because the applicant should provide details of new impermeable area created by the proposal.

The point below details the action required to overcome our current objection:

1. Provide details of the new impermeable area created by the proposal and any associated alternations to the existing drainage network or new drainage required.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	11 August 2023	1 September 2023

Internal Planning Consultee; comments incorporated and addressed in planning considerations section of report.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	11 August 2023	4 September 2023

Internal Planning Consultee; comments incorporated and addressed in planning considerations section of report.

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

East Suffolk Ecology	11 August 2023	No response
No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	11 August 2023	17 August 2023
We have no comments to make regarding this application.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	11 August 2023	No response
No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	11 August 2023	No response
No comments received.		

Consultee	Date consulted	Date reply received
SCC Emergency Planning	11 August 2023	11 August 2023
I have no comments on this application.		

Consultee	Date consulted	Date reply received
SUSTRANS	11 August 2023	No response
No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	28 September 2023	No response
No comments received.		

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

SCC Highways Department	11 August 2023	5 September 2023
<p>Notice is hereby given that the County Council as Highway Authority cannot make a comment at this time due to a lack of information to make an informed decision.</p> <p>The Highway Authority would recommend a holding objection until the information has been submitted:</p> <ul style="list-style-type: none"> • New pedestrian permeability through car park – safety. • Utility surveys. • Statutory undertakers’ utilities access. • Swept path plan – Pier Terrace. • Re-locate proposed trees adjacent to Coaches Only Limited Waiting Bay. • Cycle parking provision. 		

6. Publicity

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

Category	Published	Expiry	Publication
Major Application	18 August 2023	11 September 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Affects Setting of Listed Building	18 August 2023	11 September 2023	Lowestoft Journal

7. Site notices

General Site Notice	Reason for site notice: Major Application; Conservation Area; Affects Setting of Listed Building. Date posted: 24 August 2023 Expiry date: 15 September 2023
---------------------	--

8. Planning policy

National Planning Policy Framework 2023 (NPPF)

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

WLP2.10 - Inner Harbour Port Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.23 - Protection of Open Space (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

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

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

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

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

WLP8.38 - Non-Designated Heritage Assets (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

9. Planning Considerations

Planning Policy Background

9.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that all decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this case comprises the East Suffolk (Waveney) Local Plan 2019 [“The Local Plan”], and its supporting supplementary planning documents. The Lowestoft Neighbourhood Plan is currently in draft form but at early stages in the consultation process and therefore of little relevance to this planning application. In any case, the emerging Neighbourhood Plan refers to the Seafront Masterplan as a guiding document for development in the area, seemingly acknowledging and endorsing the broad intent of that plan (which relates directly to the works subject of this application).

Principle of Development

9.2 The Seafront Vision project is one of five regeneration projects which are detailed within the Town Investment Plan, which received £24.9m from the Government’s Towns Fund. The project sets out the proposed regeneration of the Royal Plain, Royal Green and South Quay Wharf areas.

9.3 This application sees the detail of that regeneration project come forward for planning consideration.

- 9.4 Local Authorities (“LA”) benefit from extensive permitted development rights under Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 [“The GPDO”] for various works on land in Local Authority ownership, as follows:

“The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—

(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.”

- 9.5 It is likely that significant elements of the work detailed within this application are in fact ‘permitted development’ and thus not strictly requiring planning permission. However, given the extensive site(s) area and nature of the works, it was judged by officers that a planning application should be made to ensure that the development is properly consented (if approved) and, also, so there is the opportunity for public consultation and community input into the scheme. However, the relevance of the extensive LA permitted development rights under the GPDO should be borne in mind when considering this application for planning permission.
- 9.6 The proposal to carry out public realm enhancements is supported in principle by the Development Plan. The area at Royal Green is designated under Local Plan Policy WLP8.23 as a designated Open Space, to be protected; however, the nature of these works to improve and enhance that area is entirely consistent with the aims of WLP8.23. It turns to more detailed development management considerations that are key issues in the determination of this application, notably: Design, Public Realm/Place-Making, and Heritage; Highways Safety and Sustainable Transport; Ecology; and Flood Risk & Drainage.

Design, Public Realm/Place-Making, and Heritage

- 9.7 The site falls within the Seafront character area of the South Lowestoft & Kirkley Conservation Area, and within the South Lowestoft Heritage Action Zone.
- 9.8 The Conservation Area Appraisal identifies the following features:
- Marine Parade, the terrace to the west of Royal Green is identified as a positive unlisted building.
 - The whole site, including South Quay, is identified as important open or green space.
 - Important views are identified across Royal Green towards Marine Parade, across Royal Plain towards the sea from the A12, east-west along the river from the bridge, and views from the South Pier back towards land.

'Large portions of the area are also devoted to open spaces, gardens and greens, which make a key contribution to its character and appearance... These spaces are all unique in character and design, however each make a positive contribution to the way in which the area is experienced. They also reflect the careful masterplanning of the seafront, to provide such spaces for residents and visitors to spend time and appreciate the sea to the east and grandiose architecture to the west.'

9.9 There are several listed buildings within and adjacent to the site:

- Lowestoft War Memorial – Grade II listed, within site the boundary – important place for community congregation and commemoration
- Two statues of Triton – Grade II listed, one within the site boundary one to the south of the site – commissioned by Sir Peto as part of the town's transformation into a coastal resort and sculpted by John Thomas a nationally recognised sculptor.
- Royal Norfolk and Suffolk Yacht Club – Grade II* listed, adjacent to site to the north of Royal Plain – built in 1902 by George Skipper a great architect of the period. It has an advanced Art Nouveau design and is a rare example of a purpose built yacht club by a prominent architect. It has group value with the War Memorial and Statue of Triton creating the formal public space of Royal Plain
- Port House – Grade II listed, situated on the opposite side of the river from South Quay – was originally built, in 1831, as the customs house for the Port of Lowestoft as part of the original phase of the harbour's construction, it has a close relationship with the river.

9.10 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings: *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

9.11 The Act sets out, in section 72, the statutory duties in respect of Conservation Areas: *"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

9.12 These statutory requirements are reflected in the objectives of Local Plan policies WLP8.37 & WLP8.39, and the Historic Environment objectives of the NPPF.

9.13 Policy WLP8.35 relates to Landscape Character and requires that development proposals demonstrate their location, scale, form, design, and materials will protect, and where possible enhance, the special qualities and local distinctiveness of the area, the visual and historical relationship between settlements and their landscape settings, and visually sensitive skylines, seascapes and significant views towards key landscapes and cultural features.

9.14 In respect of this application Policy WLP8.35 works in conjunction with general design policy WLP8.29 (Design), WLP8.30 (Design of Open Spaces), and then the historic environment policies set out above. The collective aim of these policies, in this case, is to ensure that the scheme creates a sense of place that is usable, attractive, well-designed and preserves the historic environment within which it is located.

- 9.15 At present, the site has a cluttered feel, with bollards, benches, lighting columns, and existing features such as the War Memorial and mosaic, combining to create a muddled aesthetic. Throughout the pre-application process officers have advised that the proposals need to provide a clear vision and integrated palette of materials and colours to ensure that the addition of more features to the space does not exacerbate the existing problems. Officers questioned whether the boulders/stone platforms are a necessary addition, or whether they will simply provide more obstacles to movement. The applicant has responded on this point, explaining that at Royal Plain the boulders will be part of the language and setting of the new fountains and mirror pool, providing additional amenity and value to this facility. They are described as multi-functional features, providing important play value for children and young people using the water features, as well as informal seating / perching opportunities for users of all ages, including parents or grandparents who may be enjoying the water features in proximity to their children / grandchildren. The number of boulders has reduced through design development between from 14no to 11no now. Their positioning is fine-tuned to relate to the mirror pool edges (aiding its legibility), respond to approaches (e.g., framing EPP entrance), ensure accessibility (clear widths around mirror pool), and augment seating provision (near to planters / benches). The applicant is firmly of the view that, given their inherent functionality, the boulders cannot be described as 'clutter', which is commonly understood as duplicated and unnecessary items of street furniture; it is argued that these are integral features to the fountain / mirror pool, and that there are significant existing elements of street clutter that are more impactful across the space, such as the light columns and bollards, which the increased layering of the space by the scheme seeks to redress / compensate for.
- 9.16 That being said, the applicant has acknowledged that if the boulders are a concern for the decision-taker, then they could be removed from the scheme.
- 9.17 The applicant has provided confirmation that the square will remain fully usable and not materially affect people attending commemorations around the War Memorial (the main relevant day being Armistice Day 11/11).
- 9.18 Reinstating a fountain at Royal Plain will help to ensure that this space is a destination and a place to gather and linger which will also contribute to the character of the Conservation Area. The Incorporation of the fountain plant room into the existing Pavilion building is a positive move as having to locate this in the square would be detrimental to its sense of openness and would interrupt existing views across the site.
- 9.19 The Council's Senior Landscape Officer has advised that raised planters here are inappropriate because they are not a suitable means for providing healthy urban tree planting. This is already an incredibly hostile location for planting, which is subject to extreme weather conditions such as prolonged periods of drought and high winds. Urban tree pit systems, such as crates or structural soils, would be the preferred approach here.
- 9.20 This has been fed back to the applicant team, but unfortunately the scheme has not been positively amended in response. The applicant/design team response is that in-ground trees, as originally proposed, are not affordable within the project budgets, so planters have been proposed instead in order not to lose the opportunity for increased greening /

biodiversity. It is claimed that planters will provide a different opportunity to introduce increased colour to the space of the public realm, which is also a part of the brief and that, in addition, raised planters are preferred because they require less on-site construction and excavation work (a greener option) and will prevent spill, less mess particularly in Royal Plain where the mulch/bark can be washed, trodden, and kicked across to the fountains area. Officers note this response, and in planning terms, the raised planters are visually acceptable and there would be no grounds to refuse the application over this design choice – which is clearly an improvement over the existing situation on-the-ground. However, conditions requiring long-term management and maintenance of this planting will be required to ensure that the planting establishes well and endures long-term.

- 9.21 The setting of the Yacht Club and the Statue of Triton would not be harmed by the proposals. The proposed public realm improvements would reinvigorate the Royal Plain while retaining the formal character of this historic piece of the public realm in the Conservation Area. This proposal will preserve the special interest of the nearby designated heritage assets. There would be no harm to these designated heritage assets, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF and the historic environment objectives of the Local Plan.

Royal Green

- 9.22 The area to the south of the East Point Pavilion (EPP) is proposed to be landscaped and continue to act as a spill out space for the EPP. The bins storage that would be displaced by the fountain plant room is proposed to be relocated to the west of this space. Details of the enclosure have been provided to ensure that this does not have too much of a back of house character. Realigning the east-west pathways to link with the existing car park crossing and openings in the boundary with Marine Parade is a significant positive of the scheme, creating more practical and legible routes for pedestrians. The proposed planting will provide a more defined edge to the space and important separation from the adjacent car park.
- 9.23 The repositioning of access across the green will help to activate the space, improving access into and across the space. There is also potential for these routes to maintain a visual connection between the promenade and the architecture behind the green as noted in the CAA, and this could be explored further in any future proposals.
- 9.24 The introduction of dune structures along the edge of the green could be an attractive feature, however, these will need to be carefully designed so that they are not easily affected by adverse weather conditions. The roots of native plants and grasses are integral to the structure of natural dunes, and these will develop over long periods of time. Strawberry trees and pine species are both appropriate for the setting; it would be nice to see a mix of some larger pine species and some smaller/multi-stem species to create an attractive structure. Planting details would be needed by condition.
- 9.25 The introduction of a bouldering area and a new fenced games area in place of the existing car park to the south end of Royal Green is positive, creating a better environment around the existing play area with better separation from the car park. Full details of the floor finish, boundaries etc of these areas are needed. Utilising the existing curved boundary to form a more organic, playful seating area next to the esplanade is also positive.

- 9.26 Officers provided feedback that the seating is solely focused along the exposed eastern edge of the green, and that pockets of sheltered seating should also be incorporated into the design to accommodate all users. It was also advised that outdoor gym equipment is more likely to get used if it is located in one place away from the Promenade where people like to stroll and sit; and that the location of active recreation to the south of the site would allow the green to be used as a more relaxed leisure space.
- 9.27 Despite this feedback and public consultation feedback also recommending sheltered seating, the applicant team have not been able to amend the scheme to incorporate this element; whilst unfortunate, it does not make the proposal unacceptable. In respect of the Outdoor Gym Equipment, the applicant team have responded that it is quite common for Outdoor Gym Equipment to be distributed along public thoroughfares in parks and other public realm spaces – people jog along the Seafront Esplanade in Lowestoft like they do anywhere else and the distributed exercise stations will respond to this. Officers acknowledge this and the siting of the Outdoor Gym Equipment is acceptable.
- 9.28 Improvement works to the EPP Courtyard at the northern end of the green will provide an attractive arrival space from the Pavilion and Royal Plain.
- 9.29 As with officer's feedback on Royal Plain, the applicant team were advised that the boulder features are not in keeping with the context. While this space is more informal and organic the planting scheme is designed to reflect the dunes where this type of engineered sea defence would be out of place. The use of non-local materials compounds this feeling of them being out of place. The applicant team have responded in a similar manner to the bouldering at Royal Plain, that these elements are playful and an integral part of the scheme. Whilst officers would have preferred to see this feedback taken on board and positively actioned, in the context of the overall scheme the boulders along Royal Green are acceptable and will have play benefits outweighing any visual impact.
- 9.30 Further details have been provided on the circular bespoke seating and outdoor gym zones; this is judged to be of good design and acceptable.

South Quay

- 9.31 South Quay is currently an ad hoc parking area with very little character or definition. The proposals to create a pocket park would enhance the space. At the moment it is not an attractive or useable area; it is really just a cut-through with a pretty sterile feel. Similar to earlier feedback on the use of raised planters, officers have advised that these are extremely high maintenance. It was recommended that a light touch approach would probably be best here, including a rationalising of existing features (bollards, lamps etc) and the introduction of a few street trees. The applicant team have reiterated their preference for raised planters in the context of the project budget. It has also been emphasised that the design / arrangement of the proposed pocket park to South Quay, with its increased accessibility, aspect, seating, shade / shelter from planting, and lighting, will make this a more attractive space for people to use. Whilst it would have been preferable for the design/landscape feedback to be taken further and the scheme amended, the planning consideration here is the quality of the proposed development measured against the existing site condition. With that consideration in mind, the proposal is clearly a positive outcome. Conditions securing long-term maintenance and management of the planting, to ensure its long-term success would be essential.

Conclusions in respect of Design, Place-Making, and Heritage

- 9.32 The proposals will preserve the character and appearance of the Conservation Area, in addition to the setting of nearby listed buildings. The overall outcome will be an improvement to the quality of place in this area, benefitting the local community and improving the tourism offer. Whilst further revisions could have been made in response to detailed officer feedback, there are no unacceptable elements or grounds to refuse the application. The scheme accords with the relevant design and historic environment policies of the Local Plan and NPPF.

Highways Safety and Sustainable Transport

- 9.33 Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms.
- 9.34 The NPPF sets out (inter alia) that:

Paragraph 114 - "it should be ensured that... (b) safe and suitable access to the site can be achieved for all users";

Paragraph 115 - "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Paragraph 116 relates to broader sustainable transport objectives and reads:

Paragraph 116 - "applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."

- 9.35 The County Highways Authority requested further information, in respect of the following points:
- New pedestrian permeability through car park – safety.
 - Utility surveys.
 - Statutory undertakers' utilities access.
 - Swept path plan – Pier Terrace.
 - Re-locate proposed trees adjacent to Coaches Only Limited Waiting Bay.
 - Cycle parking provision.

Royal Green

- 9.36 The Highways Authority set out that there is a cycle route on both Marine Parade and the Esplanade, and it would be preferred that the pedestrian permeable routes proposed are improved to provide a 3-meter-wide shared surface for both pedestrian and cyclists.
- 9.37 The scheme has been amended, with proposed relocated cross-routes for Royal Green being 3m wide and the vehicle barriers noted are proposed for removal, with new removable bollards proposed instead to manage vehicle ingress to Royal Green at these points.
- 9.38 The Highways Authority raised that, when the bays adjacent to the proposed pedestrian routes are populated, a pedestrian, wheeled user and driver will have limited or no visibility to one another. The internal straight design of Royal Green car park may contribute to increased mean speeds that may increase the likelihood of harm at any of the proposed crossings. However, as the applicant has explained – this is an existing car park with established pedestrian prioritised routes signalled by existing ground markings. The proposal does not necessarily increase usage, it simply organises pedestrian routes in a more logical/readable way. The condition is no different to that beside the EPP at the north end of the car park where the full Marine Parade to Esplanade cross-route is already established.
- 9.39 The Highways Authority had also recommended a re-design of the pedestrian crossings to a flat tabletop design that will actively reduce the speed of vehicles; visibility splays were also requested. However, this area is a car park owned and managed by East Suffolk Council; it is not a public highway or highway land where such measures can be required in order to make the scheme acceptable. The applicant has explained that there is not scope within the project budget to make such changes and officers do not consider them to be necessary to make the scheme acceptable. There are existing pedestrian crossings that are functional and acceptable, albeit it any future upgrades to those crossings would be welcomed.
- 9.40 The Highways Authority also requested utilities surveys, overlaid against the of location of proposed trees, planters, and amenity furniture. In addition, they also requested written confirmation from all affected statutory undertakers that they are satisfied with the proposed works and how their utilities may or may not be affected. Officers are of the view that these are not matters related to highways safety, and it is unclear why the Highways Authority have requested such information. If permission is granted then this is a matter for the developer to resolve through separate, non-planning, processes.

South Quay

- 9.41 In respect of the South Quay Pocket Park scheme, the Highways Authority requested a swept path plan to show an 18 metre turning head suitable for a HGV manoeuvre, i.e., refuse vehicle to the rear of Pier Terrace. Officers have discussed this matter with colleagues in the Council's Waste Management Team and at East Suffolk Services. It has been confirmed that waste/recycling bins are currently placed in a relatively large presentation area at the southern end of Pier Terrace, close to its junction with Belvedere Road. Refuse trucks therefore do not drive down Pier Terrace and turnaround at the end when collecting, thus the request from the Highways Authority to provide an 18 metre turning head to facilitate this is unnecessary. Colleagues have confirmed that the proposed development at South Quay will not impact on their waste collection operations.

- 9.42 The Highways Authority have requested that the proposed new trees within the highway adjacent to the Coaches Only Limited Waiting Bay are re-located to within the existing ESC car park. The applicant has indicated that these trees can be removed if required, however it would be unfortunate given that the proposed planting of this area would improve a bare and unsightly piece of public realm at a prominent location visible by all drivers coming around onto Marine Parade. There is presently no space to relocate the trees into the car park area without reduction of cycle parking provision. Officers are exploring this further with the applicant and Highways Authority, but it may be that the final scheme presented to members sees these trees removed from the scheme, if that is absolutely required by the Highways Authority.

Conclusion on Highways Safety and Sustainable Transport Matters

- 9.43 The proposed works will have no adverse impact on the safety/usability of the highway network. In terms of other modes of transportation, this scheme is a positive outcome and meets the objectives of the NPPF and policy WLP8.21.

Ecology

- 9.44 Policy WLP8.34 (Biodiversity) sets out, inter alia, that development will be supported where it can be demonstrated that it maintains, restores, or enhances existing green infrastructure network and positively contributes towards biodiversity through the creation of new green infrastructure and improvement to linkages between habitats.
- 9.45 The application is supported by a Preliminary Ecological Appraisal (PEA) that surveys the full extent of all development areas. The PEA concludes that:

“The site was found to contain predominantly developed land, modified grassland, urban individual trees and a vegetated garden. The habitats on site have very low to medium distinctiveness and are of poor to moderate condition.

The site currently offers little suitable habitat for a range of Protected and UK Priority species but is most notable for its potential to support hedgehog, BOCC5 red list bird species such as house sparrow, swift and starling, common lizard and a greater diversity and abundance of invertebrates after enhancement.

Guidance has been provided to avoid any impacts upon habitats and species, and minor negative impacts will be temporary whilst works are being undertaken. In the long term, this proposal may result in a habitat condition improvement of very low to an increased proportion of the site to moderate.”

- 9.46 Whilst this application technically constitutes a ‘major’ application, due to the extensive site area, in reality it does not have major development implications given that elements (such as planting/soft landscaping) does not amount to ‘development’ in planning terms, and that many other aspects of the scheme are permitted development. In respect of Biodiversity Net Gain (BNG) that comes into effect in January 2024, BNG does not apply to this application, because it was submitted in 2023 prior to BNG regulations coming into force. In

any case, the application is supported by a Preliminary Ecological Appraisal (PEA) that applies Biodiversity Net Gain Calculations to the scheme, concluding:

“The planters and addition of shelter trees into a highly urban area has greatly improved and increased the biodiversity units on site, whilst there is a small loss of modified grassland (0.04ha) to accommodate an expansion of the play area and sports facilities. The net gain potential of the site could be 324.96%, from a baseline calculation of 1.89 BU to 8.04 BU giving an on-site net gain of 6.14 biodiversity units once the planters and trees achieve maturity.”

- 9.47 Officers are of the view that, irrespective of the precise BNG calculations, this scheme clearly improves the biodiversity of this area and offers ecological benefit through the significant planting/soft landscaping proposed. The scheme accords with policy WLP8.34. Standard conditions to secure the recommendations and mitigation measures in the PEA would be appropriate in the event permission is granted.

Flood Risk and Drainage

- 9.48 Policy WLP8.24 relates to flood risk and, broadly, requires that development proposals should consider flooding from all sources; locate vulnerable uses outside of flood risk areas; and ensure that new developments creating surface water run-off use sustainable drainage systems to drain surface water.
- 9.49 The application site is wholly within flood zone three (Environment Agency mapped); this is the highest risk flood area. However, the proposal is not introducing any vulnerable uses or forms of development. This proposal is for public realm works comprising of landscape works and minor associated works – none of which are of concern in a flood zone.
- 9.50 The proposed development does not introduce significant new impermeable areas; thus, the works will not create significant surface water run-off. However, the Local Lead Flood Authority (LLFA) have requested the applicant provide details of any new impermeable area created by the proposal and any associated alternations to the existing drainage network or new drainage required. Any recommendation to approve will be subject to receiving a response of ‘no objection’ from the LLFA, but officers are satisfied that this scheme is acceptable in terms of flood risk and drainage where it is anticipated that resolving this consultee response will be a straightforward matter. For the reasons set out there is judged to be no conflict with policy WLP8.24.

Other Matters

- 9.51 The proposed development areas are outside of the designated Coastal Change Management Area (WLP8.25) and, given the nature of the works, there would be no harmful interaction with that nearby designation.
- 9.52 Lowestoft Town Council have raised a concern that there has been inadequate consultation on this project. In terms of this planning application, a site notice was displayed at the site(s); an advert was put in the Local Newspaper publicising the application; and 251 letters of notification were sent directly to local resident addresses adjacent the development areas. This meets the statutory publicity requirements and the guidance within the Council’s Statement of Community Involvement. The applicant team also carried out a public

consultation exercise in advance of the application submission; the Design and Access Statement supporting the application explains that as follows:

“On 26th May 2023, ESC undertook a leisure workshop with pupils from Pakefield High School to explore play and related provision opportunities for Royal Plain.

Most recently, on 6th July 2023, a public engagement event was also held at East Point Pavilion to share proposals ahead of Planning Application submission. 91 people recorded their attendance at this event on the ‘sign-in’ sheets, although an estimated 200+ people attended overall throughout the day. The majority of attendees were residents, although businesses were also represented, as well as local organisations.”

9.53 Therefore, officers do not agree with the comment from the Town Council that the lack of local commentary on the application is indicative of a poor consultation process; it may just represent that locally there are no concerns with the proposed works. It is not uncommon through the planning process for comments to only be made, understandably, by those wishing to object and raise concerns with proposed development.

10. Conclusion

10.1 The proposed public realm works will create an array of attractive and enjoyable spaces that will contribute to wider regeneration efforts in the town. This project is one of the key schemes to be delivered via the Towns Fund. The creation of a pocket park and enhanced open spaces, provision of leisure equipment and play space will all contribute to the tourism offer in Lowestoft – but also benefit the local community who can enjoy these spaces as part of their day-to-day lives. The detailed works set out in this planning application are in accordance with the Development Plan. Therefore, planning permission can be granted.

11. Recommendation

11.1 Authority to Approve, subject to any final (minor) design revisions; and receipt of comments from the Local Lead Flood Authority (LLFA) and Suffolk Highways Authority confirming no objections.

12. Conditions

12.1 Work is ongoing with the applicant to finalise and agree conditional matters; therefore, a list of draft conditions will be provided to members in the Update Sheet published 24 hours prior to the meeting.

13. Background information

See application reference DC/23/2832/RG3 on [Public Access](#)

Committee Report

Planning Committee North – 9 January 2024

Application no DC/23/3527/FUL

Location

1 Adams Lane
Walberswick
Southwold
Suffolk
IP18 6UR

Expiry date 16 November 2023

Application type Full Application

Applicant Mr Michael Davis

Parish Walberswick

Proposal Re-establish a driveway/access point to the property 1 Adams Lane from the street - B1387.

Case Officer Fabian Danielsson
fabian.danielsson@eastsuffolk.gov.uk

1. Summary

1.1. This application proposes a new driveway access off the B1387 into the garden of 1 Adams Lane in Walberswick. The application site is located within the Walberswick settlement boundary and the Suffolk and Essex Coast and Heaths National Landscape.

1.2. The Walberswick Parish Council object due to the following summarised reasons (included in full below):

“The application suggests that the proposed drive is a reinstatement of an access that existed approximately 25 years ago. No evidence to support this has been supplied. The property is currently served by an existing vehicular access via Adams Lane. Located opposite 1 to 5 Adams Lane are a number of parking spaces for residents and visitors.

There is concern about the highway safety aspects of the proposal. Adding an additional access point would endanger highway safety at this location.

The new access would require the removal of a sizable section of grass verge and hedge, containing a number of trees, and destroying potential habitat.

A vehicular opening onto The Street would erode the rural character and 'green corridor' currently enjoyed when travelling from open countryside into the Conservation Area, and would harm the AONB."

- 1.3. The objections from the Parish Council were contrary to the officer's 'minded-to' recommendation of approval, therefore the Planning Referral Process was triggered. The application was presented to the Referral Panel on the 21st November 2023. The decision at the referral panel was for the case to be presented to the full planning committee for determination.

2. Site Description

- 2.1. The application property is a mid to late 20th century end-of-terrace bungalow located within the settlement boundary of Walberswick. The application dwelling forms part of a terrace of dwellings running north to south and facing towards Adams Lane, with the application dwelling forming a return of the terrace at the southern end towards the east, effectively being attached to the rear of 2 Adams Lane. The site is currently accessed either via a pedestrian access from Adams Lane to the west, or via a vehicular access running along the rear of the neighbouring properties to the north. The plot is relatively large, with hedges forming boundaries to the west, south and east, and a boarded fence to the north. Neighbouring dwellings to the north and west form part of the same terrace, with neighbours to the east and south mainly consisting of detached dwellings of varying size and date.
- 2.2. The property sits at the edge of Walberswick village, outside of the conservation area although within the National Landscape.

3. Proposal

- 3.1. Planning permission is sought for the construction of a new driveway access from The Street - B1387 into the garden of 1 Adams Lane, Walberswick. The driveway is proposed to be constructed from permeable block paving.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	28 September 2023	10 October 2023
Summary of comments: The site is located within an AONB. The application suggests that the proposed drive is a reinstatement of an access that existed approximately 25 years ago. No evidence to support this has been supplied, and Google earth (1999) shows the proposed site with established hedge, and		

without a drive access to the south. The property is currently served by an existing vehicular access via Adams Lane. There is also a separate pedestrian access to the west of the site. Located opposite 1 to 5 Adams Lane are a number of parking spaces (approximately 6-8) for residents and visitors. The proposal is close to the entrance to Adams Lane. Notwithstanding the physical creation of the opening for the gates and splay (which has a detrimental impact on the street scene as described), there is concern about the highway safety aspect of the proposal. There are three other access points, including Adams Lane, within 30m, just as The Street transitions from 30mph to 20 mph. Adding an additional access point would endanger highway safety at this location. The new access would require the removal of a sizeable section of grass verge and hedge, containing a number of trees, and destroying potential habitat. The application form states that no important biodiversity on or near the site is likely to be affected by the proposals, yet this is unsubstantiated, and the claim is a surprising one given the age and maturity of the hedge/trees to be removed, and the proximity to open countryside. The application is therefore contrary to SCLP 10.1 Biodiversity and Geodiversity. A vehicular opening onto The Street would erode the rural character and 'green corridor' currently enjoyed when travelling from open countryside into the Conservation Area, and would harm the AONB, contrary to SCLP 10.4 Landscape Character. Looking east along The Street the hedges and trees make a positive contribution to the rural approach to the village and Conservation Area, as well as potentially providing habitat.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	28 September 2023	12 October 2023
Summary of comments: Until the specified concerns have been addressed, a holding objection to the proposal will be maintained.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	28 September 2023	4 October 2023
Summary of comments: We have looked at the proposal and in our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	28 September 2023	5 October 2023
Summary of comments: Whilst it is regrettable that a section of hedge will need to be removed, it is a relatively short section because the hedge is set back from the road edge and the required visibility splays can be		

achieved without needing to remove any more. There are plenty of other such openings further along the road and the proposed new access will not look out of place in this respect.

Overall I have no grounds for objection for landscape related reasons.

Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	7 November 2023	21 November 2023
Summary of comments: Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the specified conditions.		

Third Party Representations

One letter of support has been received, with a summary of their comments included below:

- Numerous driveways already present in the area
- Trimming of the hedge welcome
- Permanent driveway to The Street preferred over permanent driveway towards Adams Lane to the rear

5. Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 27 September 2023

Expiry date: 18 October 2023

6. Planning policy

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

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

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

7. Planning Considerations

Visual Amenity, Street Scene and Landscape

- 7.1. Policy SCLP11.1 - Design Quality sets out that proposed development should respond to local context and the form of surrounding buildings in relation to the overall scale and character of the development, that the layout should fit in well with the existing neighbourhood layout, that the height and massing of developments should be well related to their surroundings, that there should be clear relationships between buildings and spaces, and that high quality materials appropriate to the local context should be used.
- 7.2. The proposal would involve the removal of a section of hedge to allow for the creation of the proposed driveway. This would have a visual impact on the streetscene as it would create another gap in the hedge at this green entry point to the village. The property is situated at the edge of the village and other than Adams Lane itself, there are no further breaks in the green roadside boundaries to the west of the proposed access road. However, further driveway access points begin appearing a short distance to the east and continue at irregular but frequent intervals as one enters the village. As has been noted by the Landscape Team, the driveway would not appear out of place in that respect.
- 7.3. Although the Parish Council has commented regarding the 'green corridor' entrance to the village, it can be considered that at this point the character of the village approach is already changing, as marked by the passing of Adams Lane to the left when entering the village, with more tightly clipped hedges, glimpsed properties, a lower speed limit and further driveways a short distance ahead. In that sense, the feeling as one approaches is already that of 'arriving' in the village. The introduction of a further driveway at this point would not significantly change this character. As has been noted by the Landscape Team, the hedge is set back from the road such that the section of hedge that will need to be removed is relatively limited, and the green character of the village approach will remain.
- 7.4. A gate is also proposed for the new access. This will be located 6m in from the edge of the carriageway and will be hidden from view in longer distance views by the retained hedge. The visual impact will be limited. With the above points in mind, the overall visual impact from the proposed access will be acceptable as it will not significantly change the character of the area.

Residential Amenity

- 7.5. Planning policy SCLP11.2 - Residential Amenity states that the council should consider the impact of any proposed development on privacy/overlooking, outlook, access to light, noise and disturbance, the physical relationship with other properties, light spillage, air quality or other pollution, and safety and security.
- 7.6. The main impact on the amenity of neighbouring residents is through the potential impact on highways safety due to the introduction of a new access point onto the highway. The Parish Council have raised concerns over this aspect of the scheme. However, the vehicular speed limit at this point of the village is 20 mph and the appropriate vehicle splays have been demonstrated in the provided plans. Suffolk County Council as Highways Authority have, following the submission of amended plans, raised no objections to the

proposal although have requested further information as conditions regarding certain aspects of the scheme. Based on the low speed limit and the lack of an objection from the Highways Authority, the impact of the proposal on highway safety is considered to be acceptable.

- 7.7. Proposals that involve the provision of new parking would typically be assessed against Policy SCLP7.2 - Parking Proposals and Standards. However, there is already a current access to the site from the north side of the garden, whereby access to the proposed parking spaces can already be gained. Additionally, the driveway is proposed to be constructed from permeable materials which would not require planning permission.

Biodiversity

- 7.8. The Parish Council have raised concerns over the impact on biodiversity arising from the removal of the hedge. The site is not within the Walberswick Conservation Area, nor is the hedge protected by a TPO, and therefore this hedge could be removed at any time without consent needed from the LPA. Accordingly, officers have no concerns regarding the biodiversity impact of the proposed hedge removal - and, in any case, the section of hedge to be removed is relatively minor.
- 7.9. Overall, the proposal is considered to cause no significant impact on residential amenity, the visual appearance of the street, or the biodiversity of the area. The scheme is therefore considered to be acceptable.

8. Conclusion

- 8.1. While the property currently has vehicular access and off-road parking from the rear, the current proposal must be judged on its merits. While the loss of some roadside hedgerow is unfortunate, for the reasons given above, the impact of this is not significant and with no objection raised by the Highways Authority, there are no concerns in respect of highway safety either. The proposal therefore accords with the relevant national and local policies and guidance listed above, and are therefore acceptable.

9. Recommendation

- 9.1. Approve subject to conditions.

Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing no. DM01 - Layout received on 03 November 2023.

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

3. The materials and finishes shall be as indicated within the submitted application and 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. Before the access is first used visibility splays shall be provided as shown on Drawing Ref. DM01 - Layout with an X dimension of 2.4 metres and a Y dimension of 22 metres to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

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

5. No other part of the development hereby permitted shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM01 with an entrance width of 3 metres for a distance of 5 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.

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

6. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

7. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

8. Gates or other means of obstruction to the access shall be set back a minimum distance of 5 metres from the public highway and shall not open towards the highway.

Reason: To avoid unacceptable safety risks and traffic delay arising from vehicles obstructing the public highway while the obstruction is removed or replaced by enabling vehicles to clear the highway while this is done.

9. Prior to the development hereby permitted being first occupied, the new vehicular 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.

10. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles 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 and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2023) where on-street parking and manoeuvring would be detrimental to highway safety. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

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

Reason: To prevent hazards caused by flowing water or ice on the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

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. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing, all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

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

For further information, go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>
or;

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

Suffolk County Council drawings DM01 - DM14 are available from:

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

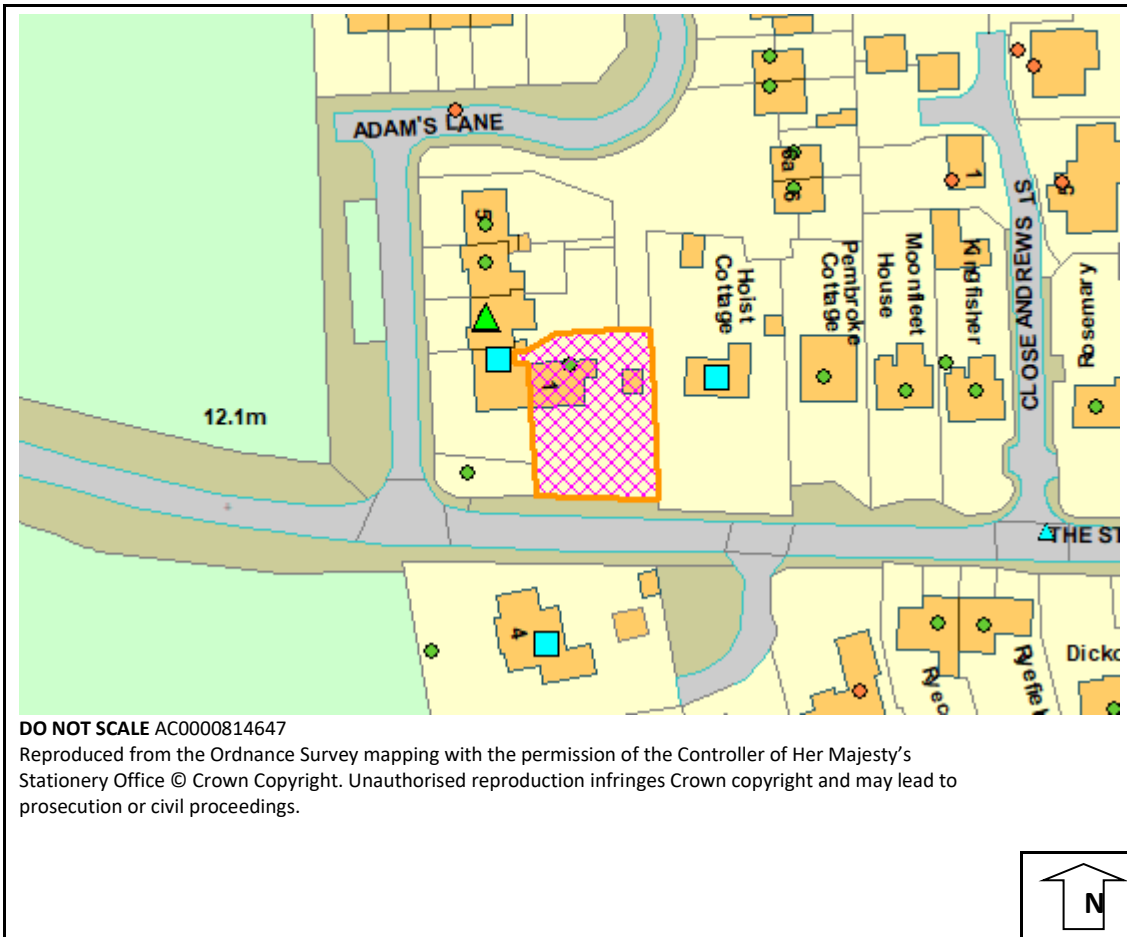
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to the proposed development.

3. Suffolk County Council's highway apparatus appears to be affected by this proposal. The applicant must contact Suffolk County Council, telephone 0345 606 6067 to agree any necessary alterations to be carried out at the expense of the developer.
4. Sufficient vehicle turning facilities should be provided to ensure vehicles can exit and enter the site in a forward-facing gear. It has not been evidenced that vehicles could complete this manoeuvre when both vehicle parking spaces are occupied.

Background information

See application reference DC/23/3527/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 9 January 2024

Application no DC/23/3905/FUL

Location

Leiston Enterprise Centre
Eastlands Road
Leiston
Suffolk
IP16 4US

Expiry date 6 December 2023

Application type Full Application

Applicant Speller Metcalfe Limited

Parish Leiston Cum Sizewell

Proposal Addition of 2No external wall mounted condensing units for air conditioning system

Case Officer Fabian Danielsson
fabian.danielsson@eastsoffolk.gov.uk

1. Summary

- 1.1. This application proposed the installation of two air-conditioning units at Leiston Enterprise Centre. The application is essentially an amendment of previously approved application DC/21/2836/FUL, with the approved units replaced for bigger units. Due to the increased size of the air conditioning units, a full application was considered necessary. The application is recommended for approval as the proposals are considered to comply with national and local planning policy.
- 1.2. Reviewed against the Council's adopted scheme of delegation, the applicant is not an elected member, member of staff or close relative. There are no objections from statutory consultees, however, the application must proceed to planning committee because East Suffolk Council own the building onto which the air conditioning units are proposed to be installed.

2. Site Description

- 2.1. The application property is a modern, two-storey office building with a flat roof and white brick to the elevations. It is located within the settlement boundary of Leiston. The property is located on the corner of King George's Avenue and Eastlands Road, with small areas of lawn separating it from the road to the south and east, and car parking to the rear. Other semi-industrial properties neighbour the site to the north and east, while residential properties are located to the west and across the road to the south.

3. Proposal

- 3.1. Planning permission is sought for the installation of 2no. wall-mounted air conditioning units located at the rear of the office building, facing the associated car park.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	1 November 2023	No response
Summary of comments:		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 November 2023	7 November 2023
Summary of comments: Noise from fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 November 2023	23 November 2023
Summary of comments:		

I have assessed the noise report and am satisfied with its findings. I have no further comments to make.

Third Party Representations

One letter of objection has been received, with the comments summarised below:

- Concern over nighttime noise
- Uncertain about the proposed location

5. Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 10 November 2023

Expiry date: 1 December 2023

6. Planning policy

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

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

7. Planning Considerations

- 7.1. The application site currently benefits from an approved planning permission with regards to the installation of two air-conditioning units in the same location as that currently proposed. The current proposal involves the replacement of these previously approved units with units of a larger size. It is therefore clear that the principle of air-conditioning units in this location is acceptable, with the main considerations being the visual impact of the larger units and the potential impact on residential amenity due to the increase in noise.

Visual Amenity and Street Scene

- 7.2. Policy SCLP11.1 sets out that proposed development should respond to local context and the form of surrounding buildings in relation to the overall scale and character of the development, that the layout should fit in well with the existing neighbourhood layout, that the height and massing of developments should be well related to their surroundings, that there should be clear relationships between buildings and spaces, and that high quality materials appropriate to the local context should be used.
- 7.3. While larger than the previously approved units, the proposed air-conditioning units are not excessively large and are located to the rear of the building in an area facing the car park. This is a type of area where one would typically expect to find units such as these and it is additionally an area where people would not be expected to spend any length of time.

The visual impact of the proposed units will not be significantly greater than the previously approved units and due to their location, will not have a detrimental impact on the street scene. There will be no public views of the proposed units other than from the car park associated with the application site. The proposal is therefore considered to comply with the above policy on design.

Residential Amenity

- 7.4. Planning policy SCLP11.2 states that the council should consider the impact of any proposed development on privacy/overlooking, outlook, access to light, noise and disturbance, the physical relationship with other properties, light spillage, air quality or other pollution, and safety and security.
- 7.5. The application property is mainly surrounded by other semi-industrial properties, although there are residential neighbours to the west. The main potential impact of the proposed development would be through the generation of noise as the units are running.
- 7.6. A neighbour has commented on the potential location of the proposed units and whether they would be located towards the residential properties on King George's Avenue; however, the units will be away from any residential neighbours, facing towards the car park to the north.
- 7.7. A Noise Assessment has been submitted in support of the application to assess background noise levels and noise emission levels associated with the air conditioning units, to establish whether noise levels would exceed background noise levels and adversely impact residential amenity at the nearest noise sensitive receptors. The report also specifies the hours of use of the air conditioning units as 08:00-18:00 hours only, and no running therefore during the more sensitive evening and night-time period.
- 7.8. The Environmental Protection team at East Suffolk Council has assessed the proposal and the included Noise Assessment and has made the following comment: *"I have assessed the noise report and am satisfied with its findings. I have no further comments to make."*
- 7.9. A planning condition will be included to control the hours of use of the units to prevent use during more sensitive night-time hours. The proposal would not have a significant adverse impact on residential amenity from noise impacts associated with the air conditioning units, and therefore the application complies with the above policy.

8. Conclusion

- 8.1. The proposal accords with the relevant national and local policies and guidance listed above, and is therefore acceptable.

9. Recommendation

- 9.1. The application is recommended for approval, subject to controlling conditions.

Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:
 - Drawing no. 1233.D02 Rev A received on 11 October 2023.

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

3. The air conditioning units hereby permitted shall not operate on the premises outside the following opening hours:
08.00-18.00 hours Monday-Sunday, including Bank Holidays.

Reason: To control the noise emitted from the site in the interests of residential amenity.

4. The units hereby approved shall be installed and maintained precisely in accordance with the information set out in the Plant Noise Impact Assessment by Mach Group.

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

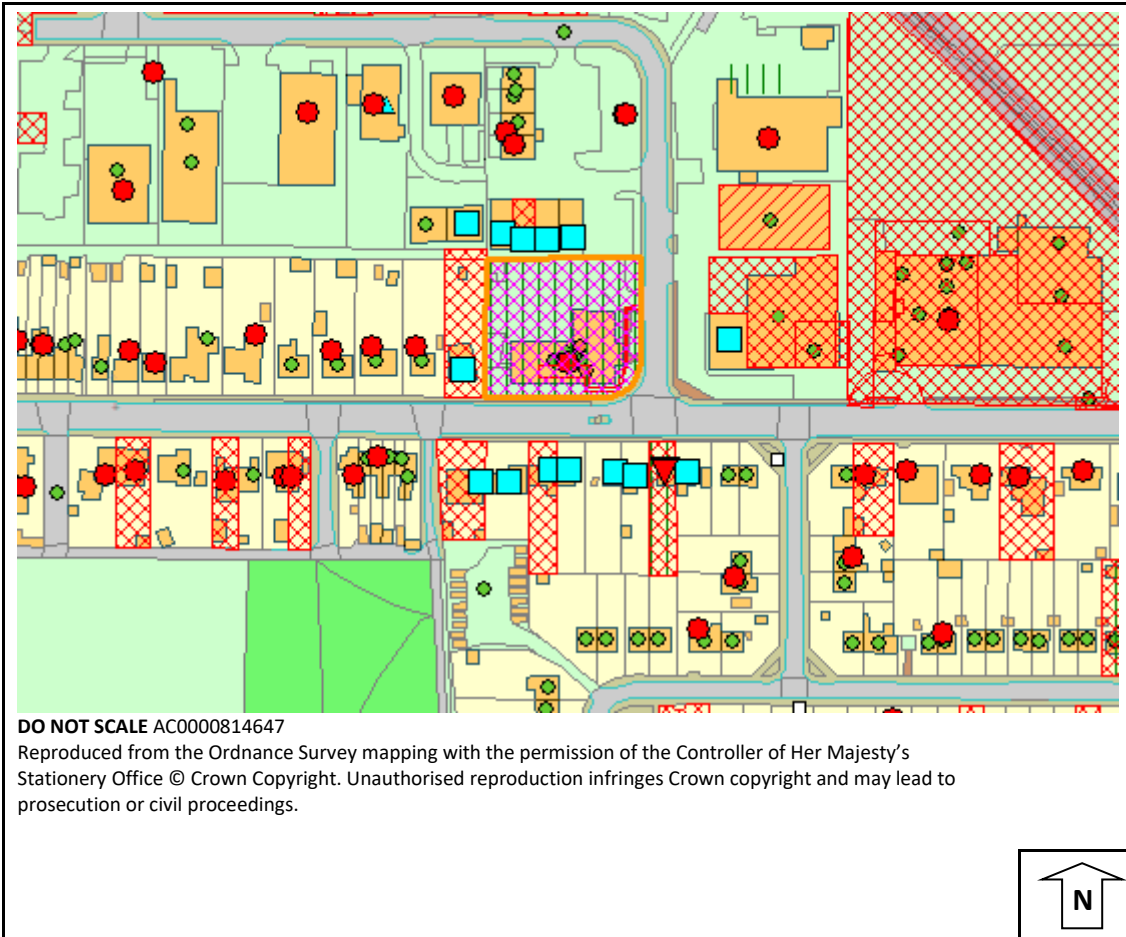
Informatives:

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

Background information

See application reference DC/23/3905/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support