



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, 10 October 2023 at 2:00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/aiW8abyR4kc?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	East Suffolk Enforcement Action - Case Update ES/1689 Report of the Head of Planning and Coastal Management.	1 - 18
5	DC/21/5536/OUT - Field off Elms Lane, Wangford ES/1690 Report of the Head of Planning and Coastal Management.	19 - 52
6	DC/23/3058/FUL - Former Garage Site, Chapel Street, Lowestoft ES/1691 Report of the Head of Planning and Coastal Management.	53 - 65
7	DC/23/2369/FUL - Toby Cottage, Leveretts Lane, Walberswick, IP18 6UF ES/1693 Report of the Head of Planning and Coastal Management.	66 - 75

Part One – Open to the Public		Pages
8	DC/23/2803/FUL - Gun Hill Cottage, South Green, Southwold, IP18 6HF ES/1694 Report of the Head of Planning and Coastal Management.	76 - 93
9	DC/23/3166/RG3 - 41 Mount Pleasant, Halesworth, IP19 8JF ES/1695 Report of the Head of Planning and Coastal Management.	94 - 102
10	DC/23/3327/FUL - Central House, The Street, Westleton, IP17 3AA ES/1696 Report of the Head of Planning and Coastal Management.	103 - 110

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

Close



Chris Bally, Chief Executive

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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>).

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Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

10 October 2023

Report Author and Tel No

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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 21 September 2023. At present there are 22 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. *7 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *7 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *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. *2 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. *3 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 21 September 2023 be noted.

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

A.1

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

A.2

LPA Enforcement Case Reference	ENF/21/0510/DEV
Location / Address	Part Land East Of Chapel Barn Farm, Leiston Road, Aldeburgh
North or South Area	North
Date of Report of Breach	19.11.2021
<u>Nature of Breach:</u> Caravan sited for residential use with new hardstanding and associated works	
<u>Summary timeline of actions on case</u> 16/02/2023 – Operational and material change of use Enforcement Notices served. Both come into effect on the 20/03/2023 28/07/2023 - Site visited, work has been completed in accordance with the notices. Case will be closed.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/07/2023

A.3

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022
<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.4

LPA Enforcement Case Reference	ENF/21/0460/DEV
Location / Address	21 Mill View Close, Woodbridge
North or South Area	South
Date of Report of Breach	13.10.2021

Nature of Breach: Erection of large fence	
Summary timeline of actions on case 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	06/11/2023

A.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	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	08/11/2023

A.6

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
Nature of Breach: Siting of a converted vehicle for residential use	
Summary timeline of actions on case 11/09/2023 –Enforcement Notice served. Comes into effect on the 11/10/2023	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	11.04.2024

A.7

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	
Current Status/Position In compliance period.	
Date by which Compliance expected (or prosecution date)	21.01.2024

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/2019/0307/COND
Location / Address	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
North or South Area	North
Date of Report of Breach	16.07.2019
Nature of Breach: Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
Summary timeline of actions on case 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. 07/12/2021 - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645 21/01/2022 - Statements submitted to Planning Inspectorate by 21/01/2022. 01/02/2022 - final comments date for comments on Appeal 28/06/2023 – Site visit for appeal 3 rd August 2023	
Current Status/Position Awaiting Planning Inspectorate Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.2

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

LPA Enforcement Case Reference	ENF/21/0003/DEV
Location / Address	26 Highland Drive, Worlingham
North or South Area	North
Date of Report of Breach	30.12.2020
Nature of Breach: High fence adjacent to highway.	
Summary timeline of actions on case 07/04/2022 - Enforcement notice served and takes effect on 09/05/2022. 2 months for compliance. 25/05/2022 - Appeal start date. Written Representations Procedure. PINS Reference APP/X3540/C/22/3297741 23/06/2022 – Statements submitted 21/07/2022 – target date for comments on statement of case. 28/06/2023 – Site visit for appeal 3 rd August 2023 06/09/2023 - Appeal upheld, planning inspector granted planning permission. Notice quashed.	
Current Status/Position Case close, appeal upheld.	
Date by which Compliance expected (or prosecution date)	n/a

B.4

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.5

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.6

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.7

LPA Enforcement Case Reference	ENF/23/0073/DEV
Location / Address	15 Worell Drive, Worlingham
North or South Area	North
Date of Report of Breach	06.03.2013
Nature of Breach: Erection of a fence over 1m adjacent to a highway	
Summary timeline of actions on case 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023 01/08/2023 - Appeal submitted, awaiting start date.	
Current Status/Position In appeal period.	
Date by which Compliance expected (or prosecution date)	Dependent on appeal outcome.

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.

D.1

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)	
<u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. 25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action. 19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30 th January 2023. 30/01/2023 - Court over listed and therefore case relisted for 27 th March 2023 27/03/2023 - Defendant did not attend, warrant issued, awaiting decision from court. 31/07/2023 - Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.	
<u>Current Status/Position</u> Considering legal options following court appearance	
Date by which Compliance expected (or prosecution date)	Depending on legal advice

D.2

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

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

E.1

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

08/08/2023- Notice complied with except a small amount of grass re-seeding required.

12/09/2023- Appeal for refused certificate of lawful development dismissed.

Current Status/Position

Case Closed

Date by which Compliance expected (or prosecution date)	Before 18 th August 2023- Completed.
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F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.

F.1

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

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

F.2

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

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>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/21/0441/SEC215
Location / Address	28 Brick Kiln Avenue, Beccles
North or South Area	North
Date of Report of Breach	29.09.2021
<u>Nature of Breach:</u> Untidy site	
<u>Summary timeline of actions on case</u>	
<p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p>	

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.

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

Current Status/Position

In compliance period

Date by which Compliance expected (or prosecution date)	Depending on legal action
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G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue

G.1

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

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

Planning Committee North - 10 October 2023

Application no DC/21/5536/OUT

Location

Field Off
Elms Lane
Wangford
Suffolk

Expiry date 7 July 2022
Application type Outline Application
Applicant Bellingham Homes Ltd

Parish Wangford With Henham

Proposal Outline Application (Some Matters Reserved) - Erection of 20 residential Units

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

1. Summary

- 1.1. The application seeks outline planning permission for 20 residential units on land North of Elms lane, Wangford. Matters to be considered include access and layout, with other matters reserved for later consideration (scale, appearance & landscaping). Therefore, the access, road layout and footprints of dwellings is fixed in this proposal and it will be the external design of buildings and landscaping which would need to follow as reserved matters applications.
- 1.2. The site is allocated for residential development within the East Suffolk Council - Waveney Local Plan: Policy WLP7.7 - "Land North of Elms Lane, Wangford" for approximately 16 dwellings, developed at a density of approximately 20 dwellings per hectare. The proposal seeks 20 dwellings at 22.5 dwellings per hectare.

- 1.3. The application is before members at the request of the Head of Planning and Coastal Management as this is a major application on an allocated site within the Suffolk Coast and Heaths AONB, which has generated interest from the community.
- 1.4. Various iterations of the proposed layout have been submitted during the course of the application with the quantum of development reducing from the 24 dwellings initially proposed to 20 as shown on the proposed plans which have been amended and reconsulted on.
- 1.5. The proposed development is considered to be broadly in accordance with allocation Policy WLP7.7; the application is recommended for Approval subject to the completion of a S106 legal Agreement.

2. **Site Description**

- 2.1. The site (0.89 hectares) is located northeast of the village and is an extension of the existing built-up area. The land is used for agriculture and can be accessed from Elms Lane. The site is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and close to the Wangford Conservation Area.
- 2.2. Wangford is located on the A12 and has good access to Lowestoft, Southwold and Halesworth. The village benefits a range of services and facilities including a village shop, a pub, a small GP surgery, a village hall, farm shop and veterinary clinic. It has a petrol station and further pub outside the village on the A12. It lacks primary school provision and school children generally go to Reydon or Brampton Primary Schools. It has relatively good bus connections with regular services connecting to Southwold, Beccles, Halesworth, Lowestoft and Norwich. The population is approximately 600 residents comprising 345 residential properties.
- 2.3. Elms Lane is a single-track road, characterised by established hedges on either side of the road. There are views of the open countryside when heading north along Elms Lane from the built-up area. Framed within these views are the Grade II Listed buildings of the Maltings and Elms Farm. The site has a high potential for archaeology.
- 2.4. The site forms an extension to the settlement boundary which currently runs along the western boundary of the site and abuts existing residential properties on Blacksmiths Close, of which Red House and Mill House share are situated adjacent to the site. Between these two properties is a former pit located on the northern boundary of the site.
- 2.5. Site constraints include a water main which runs between the Northeastern and southwestern corner of the site. This has an easement associated with it meaning that built development cannot take place within 5 metres of the water main.
- 2.6. The site is within Flood Zone 1 and therefore at a low risk of flooding.

3. **Proposal**

- 3.1. The application seeks outline planning permission for 20 residential units on land North of Elms lane, Wangford. Matters to be considered include access and layout, with other

matters reserved for later consideration (scale, appearance & landscaping). This would result in the site being developed at a density of 22.5 dwellings per hectare.

- 3.2. The layout plan shows a single vehicular access point (reduced from the three accesses initially proposed) and a pedestrian access point in the southwestern corner closest to the existing footway on Elms Lane. Off-site highway works are proposed to enable access to the footway running partially along the south side of Elms Lane. The vehicular access point requires the removal of a section of the roadside hedge in order that sufficient visibility splays are provided. A recent request has been put to the applicant to re-position the existing hedgerow by pushing it back if possible, instead of removal and replanting and the conditions proposed reflect that opportunity.
- 3.3. The layout provides a mix of properties with six affordable units. Associated parking and manoeuvring areas are shown within the proposed layout plan.
- 3.4. A surface water attenuation basin is shown to be situated within the Southwestern corner of the site. Landscaping is shown indicatively, which will be subject to greater detail at reserved matters stage.

4. Consultations/comments

4.1. Third Party Representations

- 4.2. 12 representations have been received 11 of which object to the application and one making comments:

4.3. The objections are summarised as follows:

- Disagree with developing a greenfield site in an AONB, close to a conservation area.
- House unit creep from the original allocation of 16. 24 is a 50% increase.
- Overdevelopment of the site $20 \times 0.89 = 17.8$, at least 2 properties should be removed
- Additional allocation on Wangford was removed due to lack of primary school provision.
- Elms Lane is narrow with no passing places and no room for a footway.
- Access and egress from Norfolk Road to Elms Lane is a concern. The existing busy veterinary clinic causes congestion in this area. Pedestrians are at risk due to lack of footways.
- Foul sewers inadequate in the area.
- The proposal would not protect the amenity of the area as required by policy WLP8.29 as highlighted in the LVIA.
- Increase pollution and noise from increased traffic.
- Light pollution
- More houses will simply serve to supply this demand for second homes/holiday lets rather than enable people in the area to buy a home.
- This development and the upheaval caused by the building works will be detrimental to the current residents, the countryside and resident wildlife, and that there are other areas that lend themselves far more satisfactorily to becoming a residential area.

- The local plan states that these units be 2- or 3-bedroom houses, 1½ storeys high. The plans do not appear to accord with that requirement.
- Water main incorrectly shown on original plan.
- Elms Lane will become dangerous for vulnerable road users such as pedestrians, horse riders and cyclists.
- No reference to the overhead power cables.
- Layout suggests poor design quality
- Affordable housing provision does not accord with the needs of those on the register.
- Most of the frontage hedge would need to be removed.
- Suds proposals are ill conceived
- Due to topography the properties on the northern boundary would be affected Mill House and Red House
- Inaccuracies within AIA.

Parish/Town Council

Consultee	Date consulted	Date reply received
Wangford With Henham Parish Council	14 April 2022	6 May 2022
<p>Summary of comments:</p> <p>Over development. The recommended density of housing in the Waveney Plan is for 16 houses not 24.</p> <p>Elms Lane is a narrow single-track lane and there is no mention of creating a footpath. There is already congestion at the end of Elms Lane due to the very busy veterinary practise and existing properties.</p> <p>The sewer system in the village is inadequate in its present state and needs to be upgraded.</p>		

Consultee	Date consulted	Date reply received
Wangford With Henham Parish Council	2 May 2023	25 May 2023
<p>Summary of comments:</p> <p>The extra houses will be an additional strain on resources (including GP surgery).</p> <p>Elms Lane is a narrow single-track lane and there is no mention of creating a footpath. There is already congestion at the end of Elms Lane due to the very busy veterinary practice and existing properties.</p> <p>The sewer system is inadequate in its present state and needs to be upgraded.</p> <p>Please note that these views are held by Wangford with Henham Parish Council. Several residents have been in touch with the Parish Council to express their concerns.</p>		

Wangford With Henham Parish Council	10 August 2023	16 August 2023
Summary of comments: Objection as per previous reasons stated.		

Consultee	Date consulted	Date reply received
SCC Highways Department	14 April 2022	7 June 2023
Summary of comments: Due to there being concerns over pedestrian connectivity to and from the site from the outside highway network, a holding objection shall be maintained by the highway authority		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	20 April 2022	21 April 2022
Summary of comments: A holding objection is necessary because insufficient evidence has been provided in support of the drainage strategy and the proposed strategy does not deliver multifunctional SuDS that deliver on the four pillars.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	14 April 2022	22 June 2022
Summary of comments: Set out affordable housing and M4 (2) requirements.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	14 April 2022	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	14 April 2022	3 May 2022
Summary of comments: Requested unexpected contamination condition.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 April 2022	22 April 2022
Summary of comments: Standard Archaeology conditions required.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	14 April 2022	21 April 2022
Summary of comments: Internal - comments included in main report.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	14 April 2022	10 May 2022
Summary of comments: Internal - comments included in main report.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	14 April 2022	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	2 May 2023	28 April 2022
Summary of comments: Outlined S106 contribution requirements - To be detailed in main report.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	22 April 2022
Summary of comments: General advice relating to access, firefighting facilities, water supplies and the benefits of sprinkler systems.		

Consultee	Date consulted	Date reply received
Water Management Alliance	2 May 2023	12 May 2022
Summary of comments: Insufficient information within drainage strategy.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	20 April 2022	11 May 2022
Summary of comments: Summary - While the AONB team is not objecting to the principle of this site being developed for residential use, we cannot support the scheme as proposed. This response should therefore be treated as a holding objection until the issues raised regarding housing numbers and access have been addressed.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	20 April 2022	16 May 2022
Summary of comments: No objection subject to conditions.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk CIL	2 May 2023	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	2 May 2023	9 May 2023
Summary of comments: Internal - comments included in main report		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	2 May 2023	No response
Summary of comments:		

No comment received.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 May 2023	17 May 2023
Summary of comments: Original comments still stand.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 May 2023	No response
Summary of comments: No further comment received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	2 May 2023	3 May 2023
Summary of comments: Our original, published comment may Remain in Place. We do not need to comment again.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	2 May 2023	10 May 2023
Summary of comments: Set out affordable housing and M4 (2) requirements for reduced scheme.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	2 May 2023	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	2 May 2023	16 May 2023
Summary of comments: Overall the AONB team welcome the changes made to the revised outline application and the previous holding objection can be removed.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	2 May 2023	9 May 2023
Summary of comments: Outlined S106 requirements for reduced scheme.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	2 May 2023	2 May 2023
Summary of comments: Previous comments still stand.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	2 May 2023	17 May 2023
Summary of comments: We have reviewed the following submitted documents and we recommend approval of this application subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Highways Department	2 May 2023	9 May 2023
Summary of comments: Further comments made. Holding objection maintained.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	2 May 2023	12 May 2023
Summary of comments: Internal - comments included in main report		

Consultee	Date consulted	Date reply received
Water Management Alliance	2 May 2023	19 May 2023
Summary of comments: I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the		

Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	10 August 2023	21 August 2023
Summary of comments: Internal - comments included in main report.		

Consultee	Date consulted	Date reply received
SCC Highways Department	10 August 2023	1 September 2023
Summary of comments: Holding objection removed - conditions recommended.		

5. Publicity

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

Category Major Application	Published 2 June 2023	Expiry 23 June 2023	Publication Lowestoft Journal
Category Major Application	Published 2 June 2023	Expiry 23 June 2023	Publication Beccles and Bungay Journal
Category Major Application	Published 15 April 2022	Expiry 10 May 2022	Publication Beccles and Bungay Journal
Category Major Application	Published 15 April 2022	Expiry 10 May 2022	Publication Lowestoft Journal

Site notices

General Site Notice

Reason for site notice:
Major Application
Date posted: 12 May 2023
Expiry date: 5 June 2023

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”*.
- 6.2. The National Planning Policy Framework (NPPF) (2023) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP1.3 – Infrastructure
 - WLP7.1 - Rural Settlement Hierarchy and Housing Growth
 - WLP7.7 - Land North of Elms Lane, Wangford
 - WLP8.1 - Housing Mix
 - WLP8.2 - Affordable Housing
 - WLP8.21 – Sustainable Transport
 - WLP8.31 - Lifetime Design
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.35 - Landscape Character
 - WLP8.37 - Historic Environment
 - WLP8.40 – Archaeology
-
- Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)
 - Sustainable Construction Supplementary Planning Document (East Suffolk Council, Adopted April 2022)
 - Affordable Housing Supplementary Planning Document (East Suffolk Council, Adopted May 2022)
 - Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (SPD) adopted May 2021
 - National Design Guide January 2021

7. Planning Considerations

Principle

- 7.1. The site is situated adjacent to the defined settlement boundary of Wangford as indicated on the Polices Maps. This area of land benefits from being allocated for residential development within the Local Plan under Policy WLP7.7 - "Land North of Elms Lane,

Wangford". It is therefore suitable for residential development and an important component of delivery of the Local Plan, subject to other policy considerations. This is the only residential development site for the village (apart from infill development and similar). It would therefore add 20 dwellings to this village of approximately 345 dwellings, which is a 5.7% increase in the number of homes in the village. This development would provide 6 additional affordable homes in the village, no other affordable homes are planned for this village in the Local Plan. The last major development in the village was consented in 1990 comprising of 15 homes immediately west of the site.

7.2. This Policy indicates that the site is 0.89 hectares in area and is allocated for a residential development of approximately 16 dwellings and that the site should be developed in accordance with the following site-specific criteria:

- The site will be developed at a density of approximately 20 dwellings per hectare.
- Any proposal should be designed to provide a mix of housing types and sizes. The priority is for smaller two- and three-bedroom dwellings.
- Hedgerows and trees located along the site boundaries should be protected and reinforced where possible.
- A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.
- Any planning application should be supported by a Landscape and Visual Impact Assessment that identifies the impact on the wider landscape and the Area of Outstanding Natural Beauty and conservation area, and any necessary mitigation works.
- A landscaping scheme, informed by the Waveney District Landscape Character Assessment (2008), Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study (2016) and the completed Landscape and Visual Impact Assessment, will be required. Hedgerow and tree planting along the east boundary of the site should be provided to connect existing hedgerows either side of the site and provide screening from the open countryside to the northeast.

7.3. The primary objection to this proposal from the community and the Parish Council is the quantity of development proposed being 20 dwellings compared to the policy reference to approximately 16 dwellings, and the resultant additional traffic that would be generated onto Elms Lane. This road is considered locally to not be suitable due to it being single track, with no passing places. It is also noted in the objections that congestion is already experienced at the junction with Norfolk Road.

7.4. It has also been raised within objections that a site on Wangford Road on the south side of the village for 22 dwellings was withdrawn from consideration of the Draft Local Plan due to lack of primary school provision. This is correct as it was assessed that Reydon Primary School could only support one site in Wangford, plus other Reydon and wider area development. It should be noted that local infrastructure demands and primary school capacity was considered when this site was allocated in the Local Plan and the County Council remain satisfied that CIL funding can be used to mitigate for pupil number expansion.

7.5. In respect of the number of homes, there is flexibility in the numbers identified in policy as the word 'approximate' is used in respect of both the quantum and density of development. The density figure is used also needs to be taken into account and

considered in the efficient use of sustainable and allocated sites for development. In this case a site area of 0.89 hectares would equate to 17.8 dwellings at 20 dwellings per hectare. Instead, the proposal is or 20 dwellings at 22.5 dwellings per hectare. Development density is usually used to consider the design and visual effects of housing and generally there is no perceivable difference in design terms between 20 and 22.5 dwellings per hectare.

- 7.6. The application was originally submitted for 24 dwellings, which was too many homes for the site at too great a density. Through design amendments and discussions, the total number of homes was reduced to 20. Although the reduced figure of 20 still exceeds marginally exceeds the approximate policy amount and densities, this is still considered to be suitable and an acceptable amount and density subject to complying with other aspects of the policy and the Local Plan as a whole.

Highways

- 7.7. Within the pre-amble to Policy WLP7.7 it is highlighted that Elms Lane is narrow and there is limited opportunity to extend the pedestrian network along the road. It is stated that any development proposal should include a footway network that enables safe access to the footway along the south side of Elms Lane. Although this limitation was recognised at Local Plan stage, it was recognised that the site, the lane and village could support this amount of growth in this location in the Local Plan.
- 7.8. SCC Highway Authority initially registered a holding objection due to there being concerns over pedestrian connectivity to and from the site form the outside highway network.
- 7.9. Amended plans submitted now show a footway within the development site which would then connect into the existing pedestrian network of which there would be a requirement to carry out off site highway works. The details of which would be required by condition.
- 7.10. It is acknowledged that the pedestrian connectivity onto Norfolk Road cannot be improved, therefore this is the best solution that can be required from this development.
- 7.11. Paragraph 111 of the NPPF highlights that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. In terms of the objections to increase in traffic along Elms Lane and the resultant potential for impact on highway safety; this site has been allocated for residential development and the suitability of the surrounding road network to accommodate this level of development has already been considered.
- 7.12. Although the quantum of development is slightly higher than what may have been envisaged by the local community, SCC do not object to the proposal as it is not considered that the extra four dwellings would make a notable difference or that the proposal would have an unacceptable impact on highway safety.

Trees/landscape

- 7.13. Policy WLP7.7 highlights that 'any planning application should be supported by a Landscape and Visual Impact Assessment that identifies the impact on the wider landscape

and the Area of Outstanding Natural Beauty and conservation area, and any necessary mitigation works'.

- 7.14. This is reiterated in Policy WLP8.35 - "Landscape Character" which highlights that development proposals which have the potential to impact upon the Area of Outstanding Natural Beauty should be informed by a Landscape and Visual Impact Assessment to assess and identify potential impacts and to identify suitable measures to avoid or mitigate these impacts.
- 7.15. Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 7.16. A Landscape and Visual Impact Appraisal (LVIA) has been produced for the proposed development site and has now been updated to reflect layout changes.
- 7.17. The updated LVIA contains the same conclusions as the original regarding the level of magnitude and significance of the development. It is considered that without full detailed information about the appearance and heights of buildings and details of the proposed landscape a full assessment cannot be made on these aspects.
- 7.18. The reduction in access points onto Elms Lane proposed through the updated scheme results in the retention of more existing hedgerow along the southern boundary, helping to reduce impacts on the existing landscape setting and soften views into the site. This would be less harmful to the existing landscape character of the site and is a more acceptable approach. An Arboricultural Impact Assessment (AIA) has also been provided to BS5837 standard which assesses the trees on site and categorises the trees in terms of importance. A 'Tree Constraints Plan' has been provided in order to demonstrate that the proposed layout can be carried out without detriment to the trees highlighted to be retained.
- 7.19. The landscape design proposals which would be submitted under a future reserved matters application should incorporate new mixed native hedge planting within the development to mitigate the loss or consider relocation of the section of hedge to be removed behind the required splays. A methodology for which would need to be provided.
- 7.20. Paragraph 7.65 of the Local Plan highlights that "There are views of the open countryside when heading north along Elms Lane from the built-up area. Framed within these views are a number of listed buildings. Dwellings should therefore be of a smaller scale and on the eastern edge of the site, no higher than 1.5 storeys". The LVIA identifies this as Viewpoints 3 of high sensitivity with an impact significance of high.
- 7.21. At Year 1 the LVIA highlights that in terms of viewpoint 3 "The magnitude of change is considered to be major (adverse) as there would be new buildings visible from a listed building, where before it was likely that only a few of the village houses would have been seen. In the first year the buildings would introduce a large new built element to the aspect, so the significance would be high".

- 7.22. The LVIA highlights that over time the magnitude of change would reduce to medium-high as the screening effects of planting continue to improve over time.
- 7.23. The proposed layout plan indicatively shows a strip of buffer planting along the entire eastern boundary outside of the residential curtilage of the properties, which would be retained and properly managed in the future. Future maintenance and management arrangements would also be secured at Reserved Matters stage, which would also include any other areas of public space outside of residential gardens.
- 7.24. Together with the recommendation within the pre-amble to Policy WLP7.7 to provide 1 ½ storey buildings on this eastern boundary, this will reduce the magnitude and significance of the development to medium – high at year 15.
- 7.25. Viewpoints 4 and 5 from the southwest are of moderate sensitivity and the impact significance is less, mitigated to Medium - low after year 15.
- 7.26. Viewpoints 1 (from Red House) and viewpoint 2 (from Mill House) are considered within the LVIA and are given a high sensitivity as currently direct views are gained across the AONB from those properties. Although LVIA guidance, does set out that in some cases it may be appropriate to consider private viewpoints from residential properties, in this case this is more of a residential amenity consideration. With suitable planting and consideration of scale, the impact on amenity can be suitably mitigated, which is discussed in the residential amenity section.
- 7.27. In terms of the western and northern boundaries with these two properties; the AIA highlights that the conifer hedge and 2 horse chestnut trees on the western boundary are to be removed and replaced with a new hedge. H2 (scrub vegetation) which is situated along the northern and part of western boundary together with T2 (sycamore) and T4 (Oak) are shown to be retained and will be protected during development and integrated into future landscape proposals.
- 7.28. Albeit that the LVIA attempts to predict the reduction in magnitude and significance from the development, as scale and landscaping are reserved for later consideration this cannot be fully assessed until reserved matters stage.
- 7.29. When considered against Paragraph 176 of the NPPF, the extent of development within the AONB is 'limited' and as this site is allocated for development it is acknowledged that there will be some landscape impact. It is however considered that the layout as proposed provides sufficient confidence that a suitable landscaping scheme can be delivered in order to successfully filter views and provide amenity value ensuring that any harm to surrounding landscape character is suitably mitigated as much as possible.
- 7.30. It should be noted that the AONB Team are satisfied with the amended layout subject to the final design details still to be agreed.
- 7.31. The proposal is considered to meet the aims of Policy WLP8.35 of the Local Plan and the NPPF.

Residential Amenity

- 7.32. Policy WLP8.29 seeks to protect the amenity of neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. This is also a requirement of Paragraph 130 (f) of the NPPF.
- 7.33. The proposals have the potential to impact on the amenity of nearby neighbours, particularly the occupiers of Red House and Mill House. These are 25 metres and 50 metres respectively from the nearest proposed property which would avoid significant impacts through loss of light, loss of privacy or any disturbance. The viewpoints within the LVIA note that views within the AONB from these properties would be affected, however the right to a view is not in itself a material planning consideration. The layout plan shows indicative planting which will allow a buffer between these properties and the site. At reserved matters stage scale and appearance will be considered when building heights and window positions can be considered in detail to ensure that the amenities of these properties are protected in accordance with Policy WLP8.29 and the NPPF.

Ecology

- 7.34. The Council's Ecologist has considered the Preliminary Ecological Appraisal (Liz Lord Ecology, February 2022) and broadly agree with the conclusions of the consultant. With regard to the suitability of the site for nesting skylark (*Alauda arvensis*), whilst the PEA considers that the site is unlikely to be used by ground nesting birds, it is part of a larger complex of open arable fields which are likely to provide suitable habitat for such species. Whilst the development of the site itself may not result in a direct impact on the local skylark population as a result of habitat loss, it will increase local impacts arising from urbanisation and therefore, as skylark are a UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)) such impacts must be mitigated. A condition is suggested to secure details of the necessary mitigation measures as part of the reserved matters application.
- 7.35. It is also noted that the PEA recommends that additional surveys are required for badgers. Given the fact that this is an Outline application and that badgers are a highly mobile species which can colonise or abandon areas over relatively short time periods, it is recommend that these further surveys are undertaken prior to the submission of any reserved matters application to ensure that up to date mitigation measures are implemented. A condition to secure this will also be required.
- 7.36. The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of Benacre to Easton Bavents SPA and Minsmere-Walberswick SPA/SAC/Ramsar; therefore, a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This will be secured as part of the S106 legal agreement.
- 7.37. The proposal is considered to accord with Policy WLP8.34 subject to conditions and the RAMS contribution to be secured by S106 agreement.

Heritage

- 7.38. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to have special regard to the desirability of preserving the building or its setting and S72 requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.39. Policy WLP8.37 - "Historic Environment" highlights that the Council will work with partners, developers and the community to protect and enhance the District's historic environment. Proposals for development should seek to conserve or enhance Heritage Assets and their settings.
- 7.40. All development proposals which have the potential to impact on heritage assets or their settings should be supported by a Heritage Impact Assessment, this is also a requirement of Paragraph 194 of the NPPF.
- 7.41. The initial Heritage Assessment was considered by the Principal Design and Conservation officer to be limited in scope and extent and failed to meet the requirements of the NPPF. The revised Heritage Statement (April 2023) now correctly includes an assessment of impacts of the proposed development on the proximate Wangford Conservation Area (as identified in the site allocation policy) and is now considered to comply with the requirements of the NPPF.
- 7.42. The immediate setting to Wangford Conservation Area consists of the built-up remainder of the village that falls outside of the Conservation Area and which contributes importantly to its significance as an historic evolved settlement along the historical route of the Ipswich-Yarmouth turnpike. The wider setting of the Conservation Area is formed of its rural farmed landscape and its important position where the turnpike crossed the River Wang, an important transport nexus that included the road to Southwold/Reydon. 19th century census records show a large proportion of the village population employed in agriculture. The application site does form part of the rural surroundings to the Conservation Area and which can be experienced by traversing Elms Lane itself.
- 7.43. Officers agree with the conclusion of the Heritage Statement that the impact of the application proposal will be neutral - it will be change but its effect on the significance of the Wangford Conservation Area will be neither beneficial nor harmful.
- 7.44. With respect to designated heritage assets that are listed buildings, the Heritage Statement correctly identifies two that are proximate - Elms Farmhouse and The Maltings which sit close to each other and north-east of the application site on Elms Lane. The Grade I listed parish church of Saint Peter and Saint Paul in the village centre, the tower of which is visible from Elms Lane (and likely the application site and should therefore also be taken into account.
- 7.45. Similarly to the Conservation Area impact St Peter and St Paul's is a village church and one that is embedded within the built form, layout and character of the village. The village setting is formed of the farmed landscape; and the church is part of the village. Although this proposal will represent some further change to the surroundings of the church in one

small area of it, the proposal will not alter that relationship between church, village and landscape. The impact from this proposal would therefore be neutral.

- 7.46. The Maltings is a Grade II listed building that dates from the 18th century with a pair of early 19th century ranges. It is listed for group value alongside the Grade II listed Elms Farmhouse, which is an 18th century farmhouse with a mid-19th century rear range. The setting to both is largely formed of the surrounding rural farmed landscape and partial erosion of that through development in one modest area of it will result in a minor level of less-than-substantial harm.
- 7.47. This level of harm is considered to be minor because of the substantial physical distance between the application site and designated heritage assets - a lot of farmed landscape will remain between. However, there is intervisibility between the application site and The Maltings and built development will encroach upon the visual and physical separation between Wangford village and the two listed buildings.
- 7.48. Paragraph 199 of the NPPF highlights that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.49. Paragraph 202 highlights that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 7.50. Given the additional information provided within the amended Heritage Statement, and the reduction in the proposed number of dwellings - four fewer - than originally submitted, the reduced impacts as assessed within the revised Heritage Statement are concluded by it in terms with which the Principal Design and Conservation officer is in agreement with. This is partly due to the improved layout, alongside the reduced number of dwellings: good design helps mitigate heritage impacts.
- 7.51. It is noted that the revised layout drawing includes a sketch streetscene which illustrates the relative levels of the site frontage with the Grade II listed building at The Maltings to the east of the application site and this shows how topography will help mitigate the impacts of the proposed development upon it (the listed building).
- 7.52. It is therefore considered that the layout as now proposed will accord with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Plan Policy WLP8.37 and the NPPF and that the less than substantial harm identified would be outweighed by the public benefits of the proposal, with the delivery of an allocated site for residential development and the resultant social and economic benefits that will arise.

Archaeology

- 7.53. This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to known crop marks of possible Roman or Prehistoric age (BUGGY 021, NFL 061, 056) and known find spots (NFL 007, 009). As a result, there is high potential for the discovery of below-ground heritage assets of

archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

- 7.54. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Design

- 7.55. Section 12 of the NPPF highlights that good design is a key aspect of sustainable development. Policy WLP8.29 - "Design" requires development proposals to demonstrate high quality design which reflects local distinctiveness.
- 7.56. With respect to the revised layout, it is considered that this has been considerably improved over that originally submitted, such that it can now be supported. The original layout did not appear to fully take into account existing site constraints and was lacking in a continuous frontage which would relate the layout better to its immediate existing built context on Elms Lane. The revised layout fully addresses these previous concerns and satisfactorily overcomes them. The layout now enjoys a better frontage that provides a good degree of street enclosure and which manages that in combination with an informal grouping of a short terrace, paired and individual dwellings and to a varied building line close to the site edge. In this way, a good frontage is achieved without being overly dense and formal, and in a manner more suitable for the village edge where it approaches and abuts the countryside. The sketch streetscene included on the layout drawing - which although is only indicative at Outline stage - shows the potential resultant effect of the frontage layout and shows how this layout will provide a successful streetscene. The revised layout design for the frontage of 1.5 storey scale with a mix of end-on and front elevations, and general village character as shown is considered to be successful.
- 7.57. With respect to the remainder of the layout, the designer has used the site constraint of the wayleave that runs across it as a positive layout device by creating an internal street along it. This works well in ordering the site layout - making a necessity a virtue. The overall density and spacing of dwellings is well considered and fits the edge-of-village character of the site's location well - the plots are relatively spacious; there are good gaps between dwellings; there is good contrast between the looser lower density within the site and higher density and narrower plots along the frontage; there is still space leftover for a green offset to the eastern countryside edge of the site; and Suds design has been taken into account within the overall layout.
- 7.58. It is considered that, as a layout template, this one works particularly well and any future Reserved Matters Application should not deviate particularly from it unless it can be improved upon in some minor way.
- 7.59. On the above bases, therefore, this Outline application can be supported in respect of heritage and design (layout) and accords with the requirements of the Local Plan and NPPF.

- 7.60. Other matters of detail which have been highlighted by nearby neighbours can be addressed when considering any future application for the Reserved Matters of appearance and scale.

Flooding/Drainage Strategy

- 7.61. The site is situated in FZ1 and is therefore at a low risk of flooding. Policy WLP8.24 - "Flood Risk" highlights that developments should use sustainable drainage systems to drain surface water. This is also a requirement of Paragraph 169 of the NPPF which states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the lead local flood authority.
- 7.62. A holding objection was initially received from SCC LLFA as it was considered that insufficient evidence had been provided in support of the drainage strategy and the proposed strategy did not deliver multifunctional SuDS.
- 7.63. An amended Flood Risk Assessment and Drainage Strategy (GHBullard Ref: 038/2022/FRADS P6, February 2023), was then submitted to support the application which has been updated to take account of the new layout and provides two infiltration basins one for adoptable highway and the other for the private drainage system.
- 7.64. SCC LLFA now recommend approval of the drainage system subject to conditions that further details be submitted concurrent with the Reserved Matters application, this will also include the requirement for a Construction Surface Water Management Plan.
- 7.65. In addition, sustainable drainage systems cross over into general design/landscaping and ecology considerations. Policy WLP8.24 highlights that SuDS should be integrated into the landscaping scheme and the green infrastructure provision of the development and not detract from the design quality of the scheme. The updated scheme includes a SuDS infiltration basin system in the south-western corner which is integrated into a small accessible area of greenspace with meadow planting.
- 7.66. This is an improvement on the original scheme which did not include SuDS for surface water drainage. Additional planting should be introduced to this area where appropriate and will be dealt when landscaping is considered at Reserve Matters stage.
- 7.67. The details submitted within the Flood Risk Assessment and Drainage Strategy are sufficient and comply with the requirements of Policy WLP8.24 and Paragraph 169 of the NPPF.

Housing Mix/Affordable Housing

- 7.68. Policy WLP8.1 - "Housing Mix" highlights that the mix of sizes and types of units on any particular site should be based on evidence of local needs including the Strategic Housing Market Assessment and in consultation with the local planning authority. Proposals for new residential developments will only be permitted where at least 35% of new dwellings on the site are 1- or 2-bedroom properties, unless this can be satisfactorily demonstrated to be unfeasible.

- 7.69. In this case the housing mix indicated is acceptable as it exceeds 35% of 1- or 2-bedroom properties.
- 7.70. Policy WLP8.2 - "Affordable Housing" requires that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for a proportion of the total dwellings to be affordable housing, in this area of the district a 30% provision is required.
- 7.71. The Policy states that of these affordable dwellings, 50% should be for affordable rent. The affordable Housing SPD was adopted in May 2022, which takes account of the requirement for 'First Homes'. First homes were introduced on 28th June 2021 and area specific type of discounted market sale housing and the Government's preferred discounted market tenure. The Government is requiring that 25% of homes delivered through developer contributions are First Homes.
- 7.72. Around 27% of the need for affordable housing in the Waveney area was assessed as being for Shared Ownership properties and the Council will therefore still expect the provision of Shared Ownership alongside First Homes.
- 7.73. The S106 is currently in Draft form but will require 6 Dwellings to be made available as Affordable Housing comprising of:
- i) 3 Affordable Dwellings for Rent
 - ii) 1 Shared Ownership Dwelling
 - iii) 2 First Homes

The exact number, location, tenure and mix of Affordable Dwellings to be set out in the Affordable Housing Scheme, which would have to be agreed prior to commencement of the development.

- 7.74. It is important to note that the affordable housing benefit of 20 homes on this site is greater than would be the case if 16 homes were proposed. In a 16 dwelling home scheme the development would achieve four affordable homes plus a partial financial contribution to affordable housing. Therefore, of the extra four dwellings beyond 16 in the allocation, half of those would be affordable.
- 7.75. Subject to the signing of the S106 legal agreement, the proposal will be compliant with Policy WLP8.2 and the accompanying Affordable Housing - Supplementary Planning Document (May 2022).

S106/Community Infrastructure Levy (CIL) contributions

- 7.76. This development will be liable for CIL for the whole of the proposed Gross Internal Area (GIA), chargeable at the Zone 3 (Mid-Value Zone) rate.
- 7.77. Suffolk County Council have set out the infrastructure requirements of this development in accordance with Appendix 1 - 'Infrastructure and Delivery Framework' of the Local Plan.
- 7.78. The local primary schools are Reydon Primary School (2.5 miles away) which is at capacity and proposed for possible future expansion through CIL funding and Brampton Primary

School (2.9 miles away) which is currently undersubscribed. There are secondary schools at Sir John Leman High School, Beccles and BET Beccles School.

- 7.79. Within the representations made it was suggested that there was insufficient capacity at Reydon primary school for this level of development, which is the catchment school. The number of pupils arising from housing completions beyond the forecast period, applications pending decision, and local plan site allocations are expected to cause the school to exceed 95% capacity based on current forecasts. The proposed strategy for mitigating this growth is via expansion of existing provision including through land acquisition. On this basis, at the primary school level a CIL contribution of (5 pupils x £18,187) = £90,935 will be required as highlighted below. This will be in combination with CIL funding related to other development in the area. It should also be noted that Brampton Primary School is only 0.4 miles further from the site than Reydon and that school is currently undersubscribed with capacity to accommodate pupils from this development.
- 7.80. The following feedback from Suffolk County Council Planning is indicative of the proportionate infrastructure demands of the development and may inform future CIL bids for funding as follows:
- Primary expansion @£18,187 per pupil place, totalling £90,935
 - Secondary expansion @£25,253 per pupil place, totalling £101,012
 - Sixth Form expansion @£25,253 per pupil place, totalling £25,253
 - Early years expansion @£18,187 per place, totalling £54,561
 - Waste (Improvement of Lowestoft Recycling Centre) @£55 per dwelling, totalling £1,100
 - Libraries improvements @ £216 per dwelling, totalling £4,320
- 7.81. Furthermore by way of a planning obligation for the site-specific costs will be required to be secured by S106 agreement, comprising:
- Primary school transport contribution £49,175
 - Secondary school transport contribution £28,100.
 - Other contributions include and £22,000 to allow for the installation of a new bus shelter and DDA kerbs for the stop on Norfolk Road and for DDA kerbs for the stop opposite the High Street.
- 7.82. Wangford Parish does not have a Neighbourhood Plan and therefore 15% of CIL collected from this development would be provided to the Parish Council to spend on local infrastructure projects.

Other matters - Sewerage

- 7.83. It has been highlighted within representations that the sewerage system is inadequate for further development. If it is the case that capacity is insufficient Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted. This includes the requirement for the developer to fund and necessary upgrades and improvements directly.

Part M4(2) of the Building Regulations

- 7.84. Policy WLP8.31 – “Lifetime Design” highlights that all new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet requirement M4 (2) of Part M of the building regulations for accessible and adaptable dwellings.
- 7.85. Provision for this will be required at Reserved Matters stage.

Sustainability statement

- 7.86. Policy WLP8.28 – “Sustainable Construction” requires proposals for major residential development of 10 or more houses to submit a sustainability statement in accordance with the requirements of this policy and the supporting Sustainable Construction SPD. This will also come forward at Reserve Matters stage.

8. Conclusion

- 8.1. Officers consider that the proposed development accords with the plan-led approach to deliver housing growth in the Wangford area.
- 8.2. Albeit that the proposal departs slightly from the 16 dwellings or 20 DPH figure stated within Policy WLP7.7, the proposals demonstrate that the site can accommodate this quantum of development without significant harm to the surrounding AONB and would have a neutral impact on Heritage Assets in the vicinity. It is also considered that the surrounding highway network can accommodate the additional traffic that this proposal would generate without an unacceptable impact on highway safety as required by Paragraph 111 of the NPPF. Paragraph 124 of the NPPF also states that planning policies and decisions should support development that makes efficient use of land. In this case the 20 dwelling proposal also enables an additional two affordable homes to be included in the development as a benefit to the community and area.
- 8.3. It has been demonstrated through the Heritage Assessment and subsequent design changes to the proposal, including the removal of 4 dwellings, that the development would have a neutral impact on Heritage Assets in the vicinity including the Wangford Conservation Area and the Listed buildings in the area. Due regard has been given to the Planning (Listed Buildings and Conservation Areas) Act 1990 and the proposal accords with the Local Plan and NPPF in this regard.
- 8.4. Whilst the LVIA has demonstrated there will be some harm to landscape character and that the development will have some localised visual impact within the AONB, it is considered that it has been demonstrated that the layout will enable suitable mitigation to be achieved within any future application for Reserved Matters when scale, appearance and landscaping will be controlled.
- 8.5. Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty of Areas of Outstanding Natural Beauty. This harm will need to be properly weighed against the public benefits, which include the delivery of an allocated site providing 20 homes, of which 6 will be ‘affordable’. Other public benefits include the economic benefit in the short to medium term from job creation in the construction industry and longer term social and economic benefits from additional

dwellings of which the occupants will contribute to the local economy both economically and socially.

- 8.6. The proposal is considered to represent sustainable development and is in accordance with the objectives of the National Planning Policy Framework (2023) and the Development Plan as a whole. There are no significant, or unacceptable environmental impacts arising from the proposals. There are also public benefits that would outweigh any harm arising from this proposal through delivery of housing, affordable housing and economic benefits. Planning permission can therefore be granted.

9. **Recommendation**

- 9.1. Approve subject to the following conditions and the completion of a S106 legal agreement to secure, affordable Housing provision, RAMS contribution, schools transport contributions and bus stop improvements.

10. **Conditions:**

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. Details relating to the scale, appearance and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. The development hereby approved shall be begun within the time limits specified on the outline permission and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

4. The development hereby permitted shall be completed in accordance with Drawing No. 21-087-200-J, received 30 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.

5. Concurrent with the first reserved matters application, a detailed Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. The identified

measures shall be implemented prior to occupation and thereafter be retained and maintained in their approved form.

Reason To ensure the finished development implements the approved sustainable measures in compliance with the requirements of Policy WLP8.28 of the East Suffolk Council - Waveney Local Plan (2019).

6. An application for the approval of reserved matters shall include provision for 40% of all dwellings (including affordable dwellings) to meet the Requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/ plots meet the M4(2) (and/or M4(3) standards where applicable).

Reason: To ensure the development complies with Planning Policy WLP8.31.

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

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

8. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA).

The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority.

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include: -

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk associated with construction.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-floodrisk/construction-surface-water-management-plan/>

9. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

10. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 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.

11. Commensurate with the Reserved Matters application, a strategy detailing the measures to be implemented to mitigate for the loss of habitat suitable for skylark (*Alauda arvensis*) will be submitted to and approved in writing by the Local Planning Authority. All mitigation measures will be delivered and retained in accordance with the approved strategy.

Reason: To ensure that habitat loss for ground nesting birds (skylark) is mitigated as part of the development

12. No removal of vegetation 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.

13. Commensurate with the reserved matters application, a "lighting design strategy for biodiversity" for the development, shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

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

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

14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for badgers has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be based on up to date badger survey information (in accordance with that described in the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, February 2022)) and shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;

- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

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

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

15. Commensurate with the Reserved Matters Application 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.

16. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 15 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of habitats on site, in particular the potential badger setts identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 2022) and
- ii) identify any likely new ecological impacts that might arise from any changes.

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

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

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

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

(LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

18. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

19. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 18 and the provision made for analysis, publication and dissemination of

results and archive deposition.

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

20. No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place.

Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time. This needs to be a pre-commencement condition because access for general construction traffic and other traffic is not otherwise achievable safely.

21. Before the access is first used visibility splays shall be provided as shown on Drawing No. 21-087-200-j with an X dimension of 2.4 metres and a Y dimension of 70 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.

22. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.

23. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. 21-087-200-j have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the

interests of highway safety and sustainable travel. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety.

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

The Construction Management Plan shall include the following matters:

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

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

25. The use shall not commence until the area(s) within the site shown on drawing no.21-087-200-j for the purposes of, manoeuvring and parking of vehicles and secure cycle storage have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

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

26. Before the development is commenced, details of the areas to be provided for the presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be 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. 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.

27. Plots 1 and 15 shall be limited to single storey height.

Reason: In the Interest of the amenity of the adjacent neighbours.

28. Prior to the access being created and the visibility splays provided as required by condition 21, a detailed methodology for the relocation of the section of hedge within the visibility splays shall be submitted to and agreed in writing by the Local Planning Authority. The hedge relocation shall be carried out in accordance with the approved methodology within an agreed timescale. Any plants dying within a 5-year period shall be replaced in the next available planting season to a specification to be agreed by the LPA.

Reason: In the interest of the visual amenity of the area and to protect landscape character.

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.
 - o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991,
 - o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017,
 - o Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution,
 - o Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act,
 - o Any works to a main river may require an environmental permit.
3. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

SCC would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website:
<http://www.suffolk.gov.uk/archaeology/>

4. 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.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

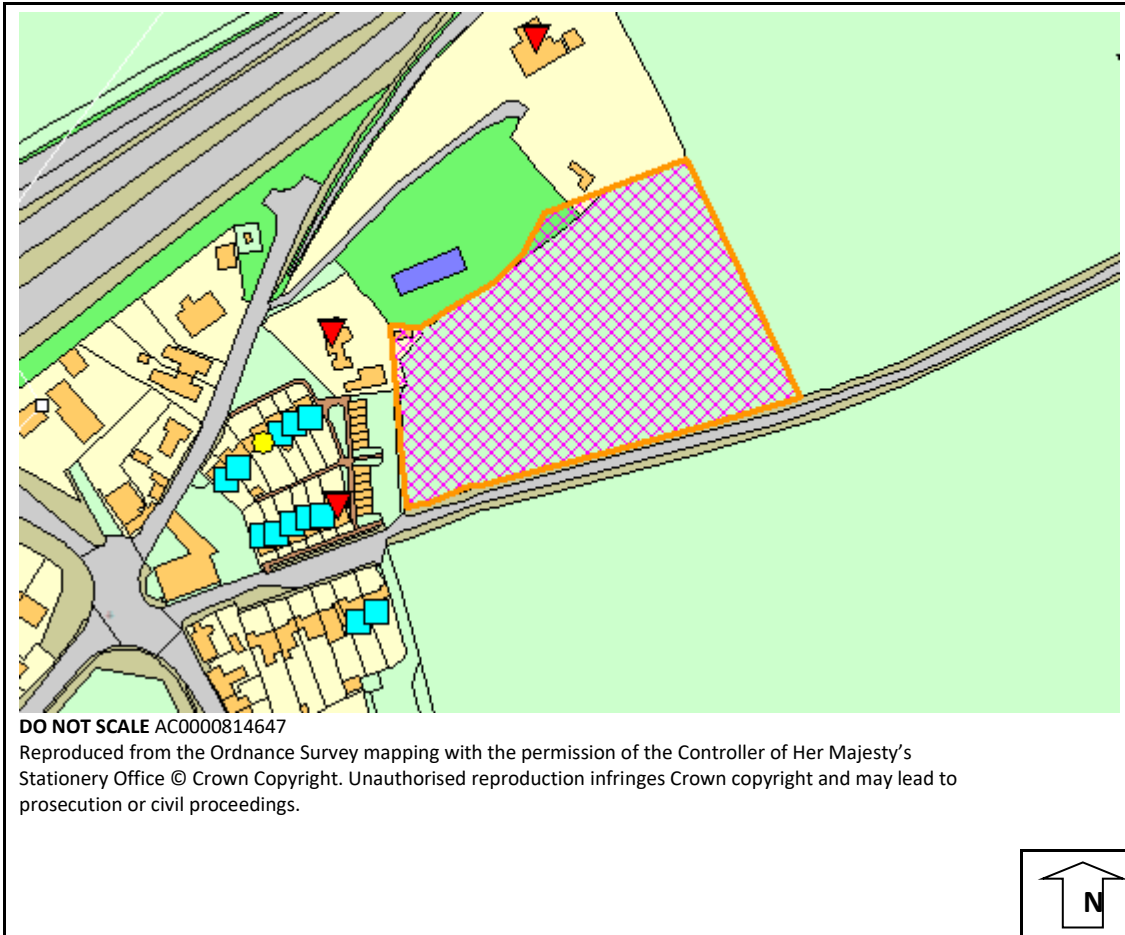
For further information please visit:

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





Background information

See application reference DC/21/5536/OUT on [Public Access](#)

Map



Key

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



Committee Report

Planning Committee North - 10 October 2023

Application no DC/23/3058/FUL

Location

Former Garage Site
Chapel Street
Lowestoft
Suffolk

Expiry date 6 October 2023

Application type Full Application

Applicant East Suffolk Council

Parish Lowestoft

Proposal Construction of 6 new build 3 person two bedroom terraced and semi detached affordable homes.

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

1. Summary

- 1.1. Planning permission is sought for the construction of 6no. new build two bedroom terraced and semi-detached affordable homes. The site is within the settlement boundary for Lowestoft, where the principle of new residential development is acceptable. The proposed design is high quality, respects the character and appearance of the surrounding street scene, and enhances the setting of the Conservation Area. Furthermore, the proposal is not considered to adversely impact upon the amenity of neighbouring residents and would not harm highway safety. The proposal delivers the benefit of six affordable homes to meet local need.
- 1.2. Therefore, the proposal is in accordance with local and national planning policy, and as such it is recommended that planning permission be granted.
- 1.3. The applicant is East Suffolk Council, and as such the application is referred to Planning Committee (North) for consideration.

2. Site Description

- 2.1. The site is located within the defined settlement boundary for Lowestoft and formerly comprised a row of unused garages within an existing housing estate, which have been demolished.
- 2.2. To the east of the application site is the 16-storey St Peters Court block of flats. To the immediate south are a pair of semi-detached dwellings which were approved in 2018 (DC/17/5236/VOC), with a row of terrace dwellings approved in 2003 (DC/03/0116/FUL) to the south-east. To the west are a row of four terrace dwellings.
- 2.3. To the north of the application site is the boundary of the Conservation Area, with Crown Street Hall which is a Grade II listed building situated opposite the proposed development site. It was built in 1812 and was originally a theatre. The principal elevation fronts Crown Street West so the elevation that faces the site is the rear elevation which has a plainer, red brick finish with render at ground floor. It has two arched windows at first floor with a central oculus window. Its setting is limited to the immediate surroundings due to the tight urban grain of the surrounding area. The proposed development site is currently vacant and has a negative impact on the setting of the listed building as ad hoc car parking and rear boundary fences dominate the view.
- 2.4. The proposed development site is also adjacent to the Crown Street West character area of the North Lowestoft Conservation Area, the boundary of which runs along the northern side of Factory Street. The former Crown Brush Factory, which has a frontage along the northern side of Factory Street, is identified as a positive unlisted building. The character area is described in the Conservation Area Appraisal as follows: *'The character area is effectively one road (Crown Street West) and the structures fronting it to the north and south... Despite its diminutive size, this character area contains a diverse range of both private and secular structures, including a late fifteenth century tithe barn, a Regency former theatre and a large late nineteenth century brewery complex (now a factory). Historically, the area has mixed commercial and residential activity in close proximity, and this continues today. Such diversity has led to a varied streetscape with buildings differing in form and function.'*

3. Proposal

- 3.1. Planning permission is sought for the construction of 6no. new build two bedroom terraced and semi-detached affordable homes.
- 3.2. On the opposite side of Elim Terrace to the proposed dwellings will be parking for 12 vehicles (2 per dwelling).

4. Consultations

Third Party Representations

- 4.1. Two representations of objection have been received raising the following key concerns (summarised):
- Loss of privacy
 - Lack of parking in the area
 - Uncharacteristic for the area

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	14 August 2023	25 August 2023
Summary of comments: The Planning Committee of Lowestoft Town Council considered this application at a meeting on 24 August 2023. It was unanimously agreed to recommend approval of the application, subject to consultee responses from Design & Conservation confirming there is no adverse implication to the Crown Street West character area and for Suffolk Highways or Environmental Protection to confirm there are no safety implications, with a request that Planning and the applicant consider increasing cycle storage and disabled parking provision.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	14 August 2023	5 September 2023
Summary of comments: No objections subject to conditions.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	14 August 2023	24 August 2023

Summary of comments:
No objections; comments incorporated into officer considerations.

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	14 August 2023	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	14 August 2023	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	14 August 2023	1 September 2023

Summary of comments:
No objections subject to conditions.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 August 2023	17 August 2023

Summary of comments:
No objections.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	14 August 2023	4 September 2023

Summary of comments:
No objections subject to conditions.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	25 August 2023

Summary of comments:
No objections.

5. Publicity

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

Category	Published	Expiry	Publication
Affects Setting of Listed Building	25 August 2023	18 September 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Affects Setting of Listed Building	25 August 2023	18 September 2023	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Affects Setting of Listed Building; Conservation Area Date posted: 18 August 2023 Expiry date: 11 September 2023
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7. Planning policy

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

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

National Planning Policy Framework 2023 (NPPF)

8. Planning Considerations

Principle

8.1. The application site is within the defined settlement boundary where new residential development is deemed sustainable. Therefore, subject to the compliance of the scheme with more detailed planning policy requirements, the principle of new residential development on the site is considered acceptable.

Design

- 8.2. Policy WLP8.29 sets out that proposed development should be a high quality design which reflects local distinctiveness. WLP8.33 similarly supports high quality urban infill. The design of the proposed new dwellings would be contemporary which, in this instance, is deemed an entirely appropriate solution given the mixed character of the area. There is no need for a pastiche of traditional buildings on sites such as these that are surrounded by 20th century development, and therefore officer's welcome opportunities that provide high quality contemporary design in this location. Reintroducing built form to this site would infill an unattractive gap site and bringing more definition to Factory Street. The area had tightly packed residential terraces prior to clearance in the 20th century so the proposal is reinstating a similar grain of development. The scale would be in keeping with the existing residential development surrounding the site and would be subservient to the historic buildings on the northern side of Factory Street ensuring that they remain the key feature of the area.
- 8.3. The dwellings would have flat roofs behind taller front parapets. The parapets would then reduce on the flanks creating interest to the top of the end elevations and reducing impact on neighbouring properties. The front elevation of each dwelling would be slightly canted and the large first floor windows would have tapered surrounds; this improves privacy and breaks up the massing of the front elevation. The tapered window surrounds also take into consideration local issues with birds which is good foresight. Having the parking separate from the dwelling is not ideal but, given the constraints of the site, it allows a better layout of the dwellings allowing a tighter, more urban grain.
- 8.4. The finish would be white render at first floor and stone finished render at ground floor. This change in materials helps break up massing and adds interest, flint would be used in the ground floor render mix which reflects the local vernacular in contemporary way. The grey engineering brick proposed for the boundary walls is acceptable in the context of the overall contemporary design. The landscape buffer to Elim Terrace is important in softening the end wall of the terrace in views down the street. The front gardens have also been designed to provide privacy and a designated area for bin storage to reduce clutter.
- 8.5. The houses have been designed to take advantage of Passivhaus techniques. The main houses have been oriented north south with large glazing to the living rooms to take advantage of the warmth of the low winter sun to heat the house but shade the high summer sun. Furthermore, the following features are also present:
- The houses will be constructed in FSC rated timber to minimise the carbon footprint and embodied energy of the materials.
 - The detailing will be robust timber details with high levels of insulation to minimise the energy required to heat the houses.
 - The minimal heating required will be generated with Air Source Heat Pump located in the rear gardens which will also provide hot water.
 - A heat recovery ventilation system provides the heating and air changes required to meet building regulations (and beyond). Warm air is extracted through the central bathroom and kitchen. The heat is transferred back to the fresh incoming air through the heat recovery unit almost removing the need for heating.
 - Photovoltaic cells will be used on the flat roofs at optimal angles to generate electricity for the house.

- The sanitaryware will be WRAS certified to minimise water usage in each house.
- 8.6. Overall, the design is deemed to be high quality, which takes inspiration from the area whilst providing a contemporary design solution. The Councils Design and Conservation Officer has raised no objection to the application, contending it to be high quality design and respects the character of the area.

Heritage

- 8.7. The application site is situated adjacent to but outside of the North Lowestoft Conservation Area located on the opposite side of Factory Street to the application site, as is the Grade II Listed Crown Street Hall. Policy WLP8.37 sets out that proposals for development should seek to conserve or enhance Heritage Assets and their settings. The Councils Design and Conservation Officer has reviewed the proposal and deemed that it would have a positive impact upon the setting of Crown Street Hall and the North Lowestoft Conservation Area. The current vacant site makes a negative contribution to the character of the area with views dominated by ad hoc car parking and rear garden fences, and the introduction of new dwellings of high design quality would be a significant improvement to setting of both these heritage assets.
- 8.8. This proposal will preserve the setting of Crown Street Hall and the North Lowestoft Conservation Area. 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. As such the relevant tests of the NPPF at paragraphs 201 and 202 are not applicable in this instance.

Amenity

- 8.9. Policies WLP8.29 and WLP8.33 set out that development proposals should provide attractive, useable and proportionately sized amenity spaces, as well as ensuring the living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development. It is considered that the separation distance between dwellings is sufficient that no adverse losses of light would occur. The closest back to back distance of the proposed dwelling to those on Thurston Road (at first floor level) is approximately 16.5m. A degree of overlooking between properties already exists and, given the openness of the site, overlooking is achievable. It is also relevant that adjacent development has a tight urban grain, and clearly the tall St Peter's Court building permits extensive overlooking of these properties (albeit from a greater distance). Furthermore, whilst the back to back distance is limited, it is not an uncommon distance within urban area and more importantly in the immediate context. Therefore, in this instance, whilst a degree of overlooking would occur, the windows on the rear of the proposed dwellings are for a single bedroom, and as such it is not considered that permission could be refused on the basis of amenity impacts.
- 8.10. The proposed dwellings will be two bedroom and are considered to provide an attractive, useable and proportionately sized amenity space for their residents. Living conditions will be good for future occupiers.
- 8.11. The Environmental Protection Team have raised concerns regarding the potential noise impacts from the proposed Air Source Heat Pumps; therefore a condition is proposed

requiring a noise assessment to be provided provide their installation, to ensure the units are not overly noisy.

Highways

- 8.12. Whilst a level of ad hoc parking is currently in place, the former garages on the site were not conditionally linked to any parking requirements for surrounding properties. The parking requirement for two bedroom dwellings is 2 parking spaces per dwelling; the application proposes 12 parking spaces on the opposite site of Elim Terrace, therefore the parking provided conforms to the Parking Guidelines. Suffolk County Council Highways Department have noted that parking has been provided for this proposal and that the development is generally acceptable, however, they have recommended that a minimum of 2 visitor parking spaces are proposed and included as part of this proposal. The application proposal provides two spaces per dwelling, which officers considered to be acceptable, and in this instance, there would not be room to accommodate an additional two visitor spaces within the development area. It is considered that, given the conformity to parking guidelines of two spaces per dwelling, the provision of cycle storage space within the site, and the proximity of the site to the high street and town centre, that the parking provision provided would be acceptable and would not harm highway safety. A condition is proposed for details of EV charging points.

Ecology

- 8.13. The site is situated within the zone of Influence (ZOI) of European protected sites. In this area increased residential development will result in likely significant effects. As set out in the RAMS strategy, evidence shows that there is a 13 km Zone of Influence (ZOI) around the relevant Habitat Sites in the Suffolk Coast area (this includes East Suffolk, Ipswich Borough and Babergh and Mid Suffolk Council areas).
- 8.14. The appropriate contribution to the Suffolk (Coast) RAMS project has been agreed and, subject to this being paid, the impact is considered to be appropriately mitigated in accordance with the Local Plan.

9. Conclusion

- 9.1. In conclusion, the application forms part of East Suffolk Council's drive to improve affordable housing stock on council owned land to providing well designed, affordable, energy efficient homes. The site is situated on under-used brownfield land, in a sustainable location which is well connected and within walking distance of the town centre and other facilities. The scheme also is considered to provide new sustainable affordable dwellings which responds to the existing estate and adjacent conservation area, using a high quality attractive design approach.
- 9.2. Therefore, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10. Recommendation

- 10.1. It is recommended that planning permission be granted subject to conditions and the RAMS contribution being secured.

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 and Block Plan, P201 Rev B, received 11/08/2023,
 - Proposed Ground Floor Plan, P202, received 28/07/2023,
 - Proposed First Floor Plan, P203, received 28/07/2023,
 - Proposed Floor Plans, P210, received 28/07/2023,
 - Proposed Roof Plan, P204, received 28/07/2023,
 - Proposed Elevations, P221, received 28/07/2023,
 - Proposed Elevations, P220, received 28/07/2023,
 - Proposed Sections, P221, received 28/07/2023,
- 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. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles including electric vehicle charging point(s) and visitor spaces, 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 (2019) where on-street parking and or loading, unloading, 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.

5. The use shall not commence until the area(s) within the site shown on Drawing No. P202 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.

6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No..P202 shall be provided in their 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

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

The Construction Management Plan shall include the following matters:

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

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

8. A validation report must be submitted to, reviewed by and confirmed in writing by the Local Planning Authority as likely to have addressed the risks identified prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
 - results of sampling and monitoring carried out to demonstrate that all materials imported to site are suitable for residential end use with the consumption of homegrown produce in

accordance with relevant threshold values (sampling results from a UKAS accredited laboratory for the relevant analysis undertaken).

- Evidence of the depths of each/every layer of imported materials used at each residential plot.
- That works have been monitored and supervised by a competent person.
- Evidence that formation of the residential plots, including gardens, has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

Reason:

9. The hours of working (Including deliveries) during the demolition phase shall be:
 - Monday to Friday - 08:00 to 18:00 hours
 - Saturday - 08:00 to 13:00 hours
 - At no time on Sundays and Bank Holidays

Unless otherwise agreed in writing with the local planning authority.

10. Prior to the installation of any Air Source Heat Pumps, a noise assessment shall be submitted and approved in writing by the Local Planning Authority. The assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L_{Ar,Tr}) of at least 5dB below the typical background sound level (L_{A90,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. The Air Source Heat Pumps shall then be installed in accordance with the details contained within the approved noise assessment, and any mitigation measures required shall be installed prior to first use of the pumps.

Reason: To protect the existing and future residents amenity

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

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

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

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

Following completion of the remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

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

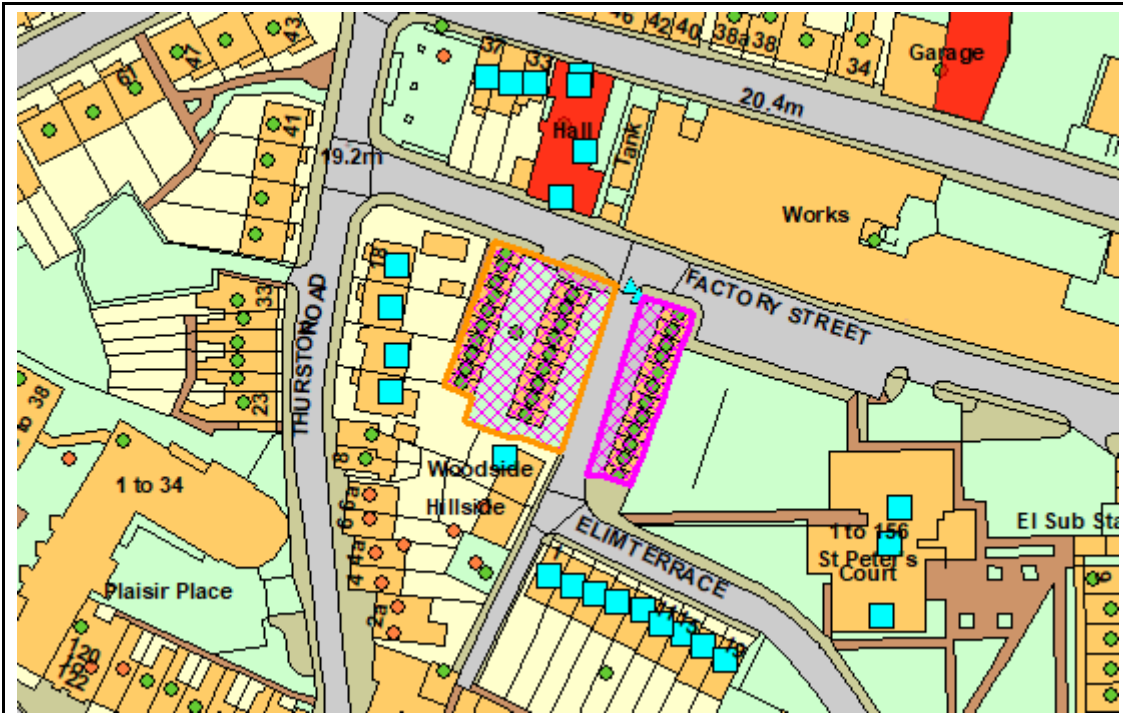
12. The bathroom window on the west (side) elevation at first floor shall be glazed with opaque glass and shall be retained in that condition, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

Background information

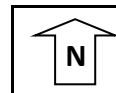
See application reference DC/23/3058/FUL on [Public Access](#)

Map



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Key



Notified, no comments received



Objection



Representation



Support



Committee Report

Planning Committee North - 10 October 2023

Application no DC/23/2369/FUL

Location

Toby Cottage
Leveretts Lane
Walberswick
Southwold
Suffolk
IP18 6UF

Expiry date 10 August 2023

Application type Full Application

Applicant Mr and Mrs Ian and Sara Karet

Parish Walberswick

Proposal Renovation of existing house and annexe wing. New link extension between annexe and house. Rebuilding of existing kitchen extension.

Case Officer Rachel Smith
07385 409721
rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for a single storey link extension, replacement western extension on the same footprint and design as the existing, other than a gable ended roof instead of hipped and new north gable windows. The application site is located within the Walberswick settlement boundary, the AONB and on the northern edge of the Walberswick Conservation area.
- 1.2. The proposal is compliant with local and national planning policy, and therefore it is recommended that planning permission be granted.
- 1.3. The objections from the Parish Council are contrary to the officer's recommendation of approval, therefore the Planning Referral Panel considered the proposal at its meeting on 29th August 2023. The panel decided that the design considerations should be discussed at Planning Committee (North).

2. Site Description

- 2.1. Toby Cottage was designed by prominent local architect Frank Jennings for his sister. Jennings' influence can be found in many of the dwellings constructed in the village through his role as an advisor to the Blois estate, which is the owner of much of the surrounding land. His designs demonstrate a thorough knowledge and appreciation of traditional local building styles and materials. Toby Cottage is identified as a positive unlisted building in the Walberswick Conservation Area Appraisal.
- 2.2. At pre-app (DC/23/0963/PREAPP), Toby Cottage was identified as a non-designated heritage asset. It meets five of East Suffolk Council's criteria for identifying non-designated heritage assets (NDHA):
 - Aesthetic value and Representativeness - The house has a vernacular, Arts and Crafts design. Features such as the weatherboarding, leaded lights, and overhanging eaves are typical of Jennings designs and are common features of the Suffolk vernacular tradition.
 - Known architect - The house was designed by Frank Jennings, a prominent local architect.
 - Integrity - The house has undergone little change from the original design, particularly on the public facing elevations.
 - Association - The house was designed by Frank Jennings for his sister Mary. Following Mary's death the house was occupied by the poet and author Alfred Edgar Coppard who is noted for his short stories of English rural life.
- 2.3. Toby Cottage is within the setting of The Old Corner House, a Grade II listed building which is situated immediately to the south. It is one of the oldest houses in the village dating to the 16th century, it has a timber framed core but was faced in red brick in the 18th century. Its setting has changed substantially over time as the village has grown and the space around it infilled with new development. The most important feature of its setting is its relationship with The Street, the main road through the village.

3. Proposal

3.1. The proposals are similar to those seen at pre-app with a few minor amendments in response to comments raised.

- o Single storey link extension
- o Replace western extension - same footprint and design other than gable ended roof instead of hipped
- o New north gable windows

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	22 June 2023	17 July 2023

Opinion

In the opinion of the Parish Council this application should be refused on the grounds that the design of the new 'link' is not appropriate in detailed design terms and does not 'preserve or enhance' the Conservation Area or a non-designated heritage asset (NDHA).

Description

Toby Cottage is within the Conservation Area, and adjacent to the Old Corner House which is a listed building (Grade II), so clearly extra care is necessary when considering the planning implications of the proposed works. Since Toby Cottage sits immediately adjacent to Leveretts Lane (with only a very narrow front garden) the impact on the street scene is an important consideration.

The proposal is for 'renovation and refurbishment', but in terms of the main elements of the planning application the most significant aspect is the construction of a link between the house and an existing single storey annexe. Additionally, there is some modest re-modelling of the roof structure of a single storey rear extension. Internal works will also be carried out, but are not subject to planning permission.

Toby Cottage was designed by prominent local architect Frank Jennings for his sister. Jennings' influence can be found in several of the dwellings constructed in the village through his role as an advisor to the Blois Estate, which is the owner of much of the surrounding land. His designs demonstrate a thorough knowledge and appreciation of traditional local building styles and materials. Toby Cottage is identified as a positive unlisted building in the Walberswick Conservation Area Appraisal, and is considered to be a 'non-designated heritage asset' (NDHA), meeting East Suffolk Council's own criteria for identification of such assets.

Comment

There is clear acknowledgment by the applicant and East Suffolk Council (in their preapplication advice) that the location (adjacent to a listed building, and within the Conservation Area) and the history of the house (designed by and lived in by a relative of Frank Jennings) means that care is needed to ensure the preservation and enhancement of the area.

The scheme as a whole is modest, and the external appearance of the main house will not be significantly altered. However, there are a number of aspects which cause concern.

The new structure linking the main house to the existing annexe is intended to be subservient to the existing buildings. It has a shallow pitched roof of standing seam metal, but as the colour is not

confirmed it is difficult to give a definite opinion on the suitability. Vertical untreated boarding (left to weather naturally) is proposed as the external cladding. However, the juxtaposition of this vertical boarding (modern and precision cut) with the distinctly horizontal waney edge boarding to the first-floor of the house (and proposed in place of the annexe garage doors) would seem to be a discordant feature. Notwithstanding the intention to have a contemporary link building there would seem to be a clash of material use. A more appropriate design solution could be achieved by using render, as is present on the existing ground floor elevation of the main house. This would bring a more harmonious and low-key look to the Leverett's Lane frontage, which could further be softened with planting, thereby continuing and enhancing the rural qualities of the existing front garden to the cottage.

Additionally, the small windows proposed to the link introduce another different design feature to the house / link and make it read as accommodation rather than a more simple structure. A plain frontage to the link with no windows (perhaps replaced with roof lights in the link roof) would allow for the 'subservient' aspiration as stated in the Design and Access Statement.

The existing annexe is to be remodelled internally in conjunction with the new link. The current annexe has a pair of garage doors on the Leveretts Lane elevation. This currently gives a pleasant domestic feel to the property. These doors are lost in the proposals and replaced with waney edge board to the whole of the annexe (former garage) gable end. In the Parish Council's opinion it would be a more appropriate design solution to retain or re-make the garage doors, painted to match the joinery on the main house.

The purpose of making an objection to these design elements is to better preserve and enhance the Conservation Area in this important part of Leveretts Lane. Additionally, the design as presented displays a number of discordant elements, which taken together distract from the acknowledged 'non designated heritage asset' which is Toby Cottage. In this respect we find that the proposal does not meet **policy SCLP 11.1 (Design Quality) clauses b) and c)**. **In respect of policy SCLP 11.5 (Conservation Area Development) it does not adequately fulfil clause c) which calls for 'appropriate design'.**

The current annexe is self-contained in that it has bedroom, bathroom, living and, kitchen facilities. Although altered in the proposal the newly re-formed annexe (together with the improved facilities in the link) is still capable of being a separate unit of accommodation. On the basis of the improved / upgraded facilities, and the enhanced attractiveness of the separate accommodation unit it is requested that a condition be imposed on any permission that the annexe can only be occupied in conjunction with the main house and not let separately as holiday accommodation or sold as a separate unit. This should cause no problems as the applicants say Toby Cottage remains a single unit, and there is no change of use, but protects the village from increased pressure from extra short term holiday lettings.

Pre – application advice was sought from East Suffolk and the conclusions were:

- The proposals would not impact the significance of the adjacent Grade II listed building, The Old Corner House.
- Toby Cottage is a positive unlisted building within the Walberswick Conservation Area and has been identified as a non-designated heritage asset.
- Overall, the proposals are likely to be acceptable with a few minor amendments requested to ensure that the proposals will conserve the character and appearance of this building and the conservation area.

The Parish Council would clearly agree with the first two points but upon a detailed consideration of the design issues we find there are discordant features in the proposed design which suggests an objection as detailed above.

Summary

The proposals for works to the main Toby Cottage structure are considered acceptable.

However, an objection is raised to the submitted scheme because of the effect the design of the new link from Toby Cottage to re-modelled annexe will have on the integrity of the 'non designated heritage asset', and the fact that it will not preserve or enhance the Conservation Area. This relates to the elements visible from Leveretts Lane.

The design objections relate to:

- The cladding material for the link, in detail the board type and orientation.
- Windows in the link building which are distinctly modern and contrast poorly with the main house.
- The loss of the garage doors on the existing annexe and the effect on the street scene

Non statutory consultees

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	17 July 2023

Summary of comments:

" This is acknowledged to be an important building for Walberswick and the parish council makes a valid argument for refusal as it stands. I feel that proper consideration should be given to this view and hopefully a compromise reached."

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	22 June 2023	No response

Summary of comments:

No comments

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	22 June 2023	29 June 2023

Summary of comments:

No objections, comments included within report

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	22 June 2023	6 July 2023

Summary of comments:

I can advise that the proposed renovations to this dwelling will have no impact on the wider AONB landscape, and no meaningful impact on the character of the Walberswick Conservation Area.

Consultee	Date consulted	Date reply received
Suffolk Preservation Society		7 July 2023

Summary of comments:

I am writing on behalf of the Suffolk Preservation Society to comment on the application for an extension to Toby Cottage, an Arts and Crafts dwelling on the north side of The Street and within the setting of The Old Corner House, a grade II listed building. The property has been identified as a positive building within the Walberswick Conservation Area appraisal, and is also within the Suffolk Coast and Heaths AONB.

The building is a well-preserved example of Frank Jennings work, a local architect who designed a number of buildings in Walberswick in the Arts and Crafts style. Jennings' body of work makes an important contribution to the historic environment of the village and therefore it is appropriate that the local planning authority has identified the building as a Non-Designated Heritage Asset.

Accordingly, every effort should be made to carefully control works of external alteration to ensure that they preserve the character of the architect's original design.

The proposed link to the north elevation is a small accretion that provides WC and utility and an internal link to the existing guest annex. Whilst modest in scale, the shallow pitch and open porch appear incongruous in this context. A simple flat roof behind a parapeted wall would appear less obtrusive and more in keeping with the parent building. The false garage doors could be replaced with a simple garden gate which would lend itself to the back elevation suggesting a simple garden wall. The SPS considers that the proposed alteration by virtue of its design and appearance would fail to enhance the character of the conservation and NDHA.

We trust that you will find these comments helpful and would ask to be consulted on any further submitted amendments.

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	29 June 2023	20 July 2023	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Conservation Area
Affects Setting of Listed Building
Date posted: 27 July 2023
Expiry date: 17 August 2023

6. Planning policy

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

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

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

SCLP5.13 - Residential Annexes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.6 - Non-Designated Heritage Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

National Planning Policy Framework 2023 (NPPF)

7. Third Party Representations

7.1. There were two neighbouring comments received 08.08.23. The neighbouring comments raised objections in relation to:

- Appearance and design
- Impact on historic environment

8. Planning Considerations

Design Quality, Conservation Area and Landscape Value

8.1. The single storey link extension is proposed to be clad in vertical timber which will have a natural finish that will weather over time. The use of vertical cladding on this new element will differentiate it from the main house while still being in keeping with its character, due to the boarding on the main dwelling. The link is proposed to have a contemporary appearance, allowing it to successfully contrast with the main house - although the soft timber cladding will ensure that it is not a stark contrast which would distract from the appreciation and character of the main house. The link will read as a clearly contemporary, subordinate addition, separate from the original house. This will allow for the form and character of the original house to still be read while creating additional living space and a better connection between the house and the annexe. The windows on the front elevation of the link were considered during the assessment of the proposal due to the concerns raised by the Parish Council. It is considered that these openings will match the contemporary design of the link, and attempting to implement matching windows would harm this design choice, detracting from the contrasting visual proposed. As well as this, the front elevation of the link is slightly 'sunken' from the front of the property, which will mean these openings are relatively obscured from the surrounding Conservation area. The loss of the garage door is also not considered to be a detrimental aspect of the proposal, as it will be replaced by boarding and will be obscured by car parking the majority of the

time. The infill of the existing garage door would be acceptable as the replacement cladding matches the existing.

- 8.2. The scale, materials, and most of the details of the replacement western extension will match the existing, other than changing the roof form from hip to gable, and inserting windows into the new western gable replacing the high-level metal windows currently in place. The pitch of the roof will also be increased with the ridge height being raised. The incentive for this proposal is due to the current roof pitch being insufficient at removing rainwater. At pre-app the proposed new glazing to the western gable was contemporary in character in contrast to the rest of the detailing on the proposed replacement extension, which has subsequently been amended with a more traditional window in the submitted proposals which is considered an improvement.
- 8.3. The proposed extensions would be single-storey in scale and within the existing built up settlement of Walberswick. There would therefore be no significant impact on the wider landscape or special characteristics of the AONB.
- 8.4. It is judged that the proposals are acceptable and in accordance with Policies SCLP11.1, SCLP11.3, and SCLP11.5.

Non-Designated Heritage Assets

- 8.5. The design of the proposal is purposefully contemporary, to allow for a visual break between the existing historical property and the new additions. Attempting to recreate the existing design and character of the property is considered likely to create a more detrimental impact on the property. Allowing for a contemporary divide will allow for the additions to be visually read as subsequent and subordinate to the main dwelling. Therefore, the proposals are considered to comply with Policy SCLP11.6.
- 8.6. This building is not listed and therefore there are no planning controls on internal changes. As there is no Article 4 Direction covering the Walberswick Conservation Area, consent is not required to change the windows as long as they are of similar appearance. However, going forward, the owners would be encouraged to retain the character of the existing windows as the leaded lights are a key feature of Jennings' architecture and are integral to the significance of the building.

Residential Annexes

- 8.7. The link extension is small in scale and will allow for a small shower room and utility, therefore it is not considered that the extension to the annexe will detrimentally increase the size of the annexe to a scale that is not considered clearly ancillary in scale to the host dwelling. The property will also retain sufficient parking for the retained annexe and the annexe will still relate well to the host dwelling. Therefore, the additions proposed in this extension are in accordance with Policy SCLP5.13.

Residential Amenity

- 8.8. It is judged that the proposals are unlikely to create a detrimental impact on the surrounding neighbouring dwellings. The change in the western extension is unlikely to create any harmful amenity impacts. The infill extension is small in scale and in a location that is considered to not harmfully impact on surrounding neighbouring amenity. The new openings will have the same general outlook as those currently retained by the existing dwelling. Therefore, it is considered that the proposal complies with Policy SCLP11.2.

9. Conclusion

- 9.1. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10. Recommendation

- 10.1. Approve, subject to conditions as 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 700 05 Rev.E (proposed Floorplan), 700 06 Rev.D (Proposed elevations), 700 07 Rev.E (Proposed Block Plan) received 15 June 2023;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

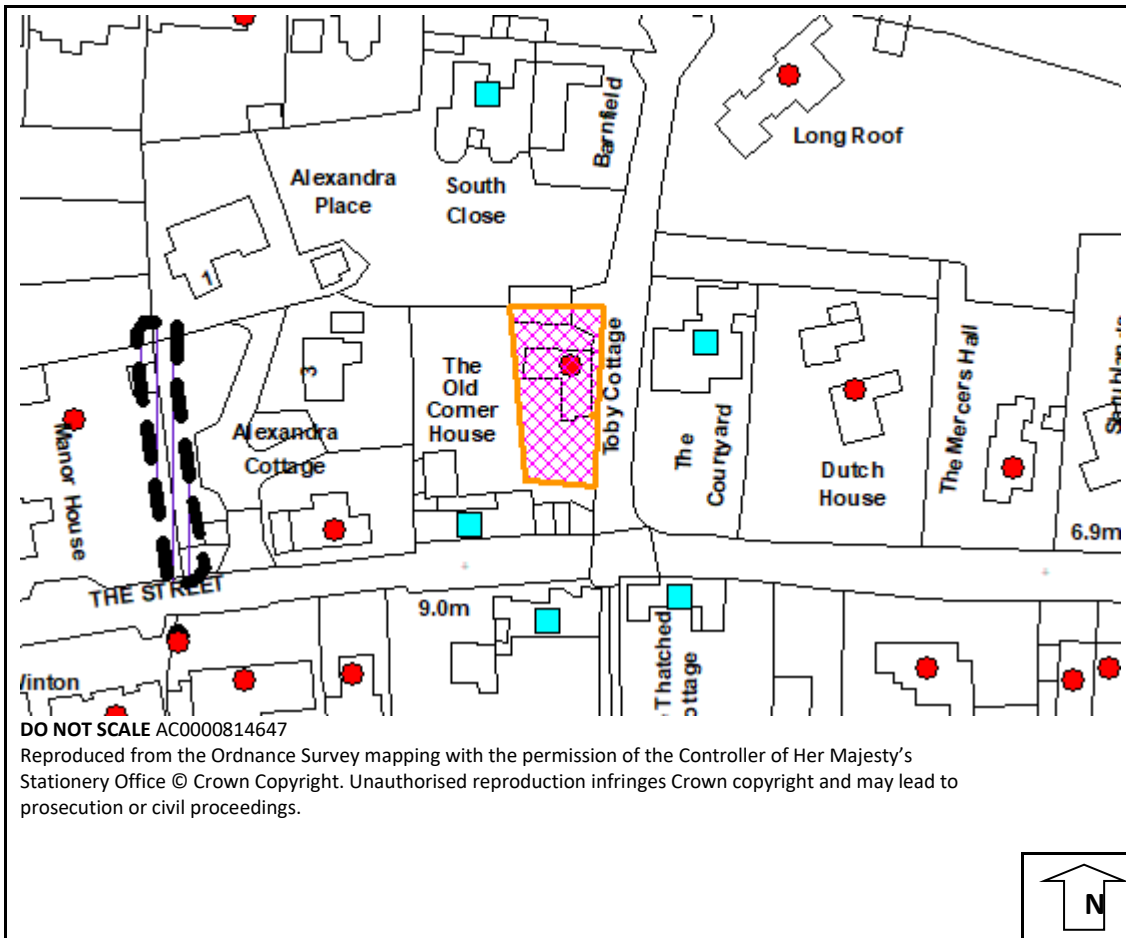
4. The development hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.





Background information

See application reference DC/23/2369/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 10 October 2023

Application no DC/23/2803/FUL

Location

Gun Hill Cottage
South Green
Southwold
Suffolk
IP18 6HF

Expiry date 20 September 2023

Application type Full Application

Applicant Mr And Ms Benjamin And Kate Croft And Egerton

Parish Southwold

Proposal Demolition of dwelling and erection of Replacement Dwelling.

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

1. Summary

- 1.1. Planning permission is sought for the “Demolition of dwelling and erection of Replacement Dwelling”.
- 1.2. The site is situated within the Southwold Conservation Area and Suffolk Coast and Heaths AONB; the building to be demolished is not a Heritage Asset, the proposed replacement dwelling is of high-quality design and would represent an enhancement to the Character and Appearance of the Conservation Area and can therefore be supported.
- 1.3. The application is presented to members as the area of land required to gain access to the site, which forms part of the application site is owned by East Suffolk Council, which automatically triggers referral to Planning Committee.
- 1.4. The proposal is considered to accord with the Development Plan and is recommended for Approval by Officers.

2. Site Description

- 2.1. Gun Hill Cottage is situated within the Marine Villas Character Area of the Southwold Conservation Area. The existing property is not Listed and is not considered to be a Non-Designated Heritage Asset (NDHA).
- 2.2. The Marine Villas Character Area began to be developed in the early-nineteenth century, when a number of genteel residences were constructed. Development continued throughout the century, resulting in a delightful array of architecture characterised by playfulness and variety.
- 2.3. Gun Hill Cottage first appears in the 1882 OS Map. The appearance of Gun Hill Cottage has been substantially altered over the past century, and it currently features cement-rendered elevations with applied timbers and a concrete tiled roof. Its current appearance detracts from the character and appearance of the surrounding conservation area, and therefore the site presents an opportunity for enhancement.
- 2.4. Opposite the property is Gun Hill Place, a Grade II Listed Building dating from the early-nineteenth century. The site faces onto the South Green and Gun Hill to the southwest, which are designated 'Village Green', meandering between larger grounds eastward to the public footpath which connects onto Southwold beach.

3. Proposal

- 3.1. The proposed building is a two-storey cottage with two bedrooms, designed in a contemporary manner. Gun Hill Cottage is a replacement dwelling aiming to complement its surroundings, responding to the local character of Southwold both in form and material selection.
- 3.2. The facade is proposed to be a stone/flint aggregate material. The roofs in the proposal are a mixture of slate, standing seam metal and green roof. The main house two-storey volume will feature natural slate characteristic of the Southwold Conservation Area.

4. Third Party Representations

- 4.1. One response received with the following concerns:

I am very supportive of the application in principle, but it adversely affects Bonsey House in some important respects which I hope could be rectified without derogating from the overall scheme.

1. The main roof in the plans is of such a height as to obscure the light to and outlook from the two South facing windows of the en-suite bathroom on the top floor of Bonsey House.
2. The outlook from the South facing window of the master bedroom on the top floor of Bonsey House would be significantly adversely affected by the new roof of the

proposals, such that the view towards Gun Hill would be obscured. Bonsey House is first and foremost a coastal property and its outlook is thus an essential component.

3. The proposals show a first -floor bedroom with a full-height picture window which will have a view into the garden area of Bonsey House which currently has no overlooking, thus having a negative effect on the privacy of occupants of the property. A possible solution to this would be a small privacy screen on top of the boundary wall that would help to protect this overlooking in both directions.

5. Consultation:

Parish/Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	31 July 2023	16 August 2023
<p>Summary of comments: The Committee feel it is an improvement and feel it improves the Conservation Area. The Planning Committee would not want to lose any parking onsite. What is the colour/material of the metal roof ' is it in keeping with the neighbouring properties. There were no objections to this application.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	31 July 2023	No response
<p>Summary of comments: No comments received</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	31 July 2023	21 August 2023
<p>Summary of comments: Having reviewed the application documents, I confirm that the proposed replacement dwelling will be a positive addition within the Suffolk Coast & Heaths AONB and the Marine Villas Character Area of the Southwold Conservation Area. The construction materials are considered appropriate, and the proposal will introduce a new high quality designed dwelling into the Primrose Alley streetscape.</p> <p>The Design and Access Statement proposes fitting either integrated external timber shutters or concealed blinds on the windows on the western elevation of the dwelling. The AONB team consider that the installation of either of these would be appropriate to help manage light spill. We</p>		

also support the use of timber batons over the glazed 'outlook' proposed in the dwelling. It is important that these features are secured via condition if planning approval is granted for this scheme.

The need to follow the ecological hierarchy principles set out in the Ecology Report will be an important part of this scheme. The AONB team fully endorse the implementation of the biodiversity net gain recommendations in the report and these should be secured via condition if planning permission is granted.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	31 July 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	31 July 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	31 July 2023	15 August 2023
Summary of comments: I have read the Preliminary Ecological Appraisal (Geosphere Environmental, July 2023, Version 2), Bat Scoping & Activity Survey (Geosphere Environmental, July 2023, Version 2) and Bat Hibernation Survey (Geosphere Environmental, July 2023, Version 2) and am satisfied with the conclusions of the consultant. Should permission be granted the following conditions should be included (see full response). See consultation response.		

Consultee	Date consulted	Date reply received
East Suffolk Services - Property And Facilities	31 July 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	31 July 2023	No response
Summary of comments:		

No comments received

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	31 July 2023	17 August 2023
Summary of comments: Internal - comments incorporated into main report		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	31 July 2023	3 August 2023
Summary of comments: Internal - comments incorporated into main report		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	31 July 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	31 July 2023	2 August 2023
Summary of comments: Coastal Management are of the opinion that the CEVA provided is compliant with the SPG requirements and have no comments to add.		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	4 August 2023	25 August 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	4 August 2023	25 August 2023	Lowestoft Journal

7. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 3 August 2023 Expiry date: 24 August 2023
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8. Planning policy

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”*.
- 8.2. The National Planning Policy Framework (NPPF) (2023) and National Planning Policy Guidance (NPPG) are material considerations.
- 8.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP8.21 - Sustainable Transport
 - WLP8.25 - Coastal Change Management Area
 - WLP8.29 – Design
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.35 - Landscape Character
 - WLP8.37 - Historic Environment
 - WLP8.39 - Conservation Areas
- 8.4. The Southwold Neighbourhood Plan ('Made' February 2022), also form part of the Development Plan of which the following Policies are relevant:
- SWD6 – Design
 - SWD7 – Parking
 - SWD11 - Provision for wildlife in development
 - SWD12 - Loss of private garden space
 - SWD14 - Minimising the impact of flooding.

9. Planning Considerations

Principle:

- 9.1. The site is situated within the Settlement boundary of Southwold as shown on the proposals map. Policy WLP1.2 explains that settlement boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable.
- 9.2. In this case the proposal is for a replacement residential property and is not a Heritage Asset, the principle of demolition and replacement is acceptable.

Heritage/Design:

- 9.3. Policy WLP8.37 "Historic Environment" and Policy WLP 8.39 "Conservation Areas" highlights that proposals for development should seek to conserve or enhance Heritage Assets and their settings.

- 9.4. The requirement to 'Preserve or Enhance' a Conservation Area is stated in S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.5. High Quality design is promoted by Paragraph 126 of the NPPF which states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development".
- 9.6. A high standard of design and materials is of particular importance within Conservation Areas as explained within Policy WLP8.39. Local Plan Policy WLP8.29 also requires high quality design generally which should reflect local distinctiveness. In so doing proposals should demonstrate a clear understanding of the form and character of the built, historic and natural environment.
- 9.7. The Southwold Neighbourhood Plan has a detailed design policy SWD6, which highlights the following:
- “All planning applications should demonstrate, either through the Design and Access Statement where this is required or through sufficiently detailed plans and documents, that they have:
- A. understood and followed the process for creating high quality design set out in the National Design Guide;
 - B. understood and proposed design that is sympathetic to and in keeping with the best of the prevailing local character area;
 - C. maximized the opportunities to improve the quality of design;
 - D. positively addressed the Recurrent Design Issues and area-specific Sensitivities and Susceptibilities identified in the Southwold Character Area Appraisal (SCAA) and reinstated character where the SCAA identifies opportunities for this; and
 - E. where relevant, addressed heritage management issues identified in the Southwold Conservation Area Appraisal.
- Development proposals which do not demonstrate their compliance with the design principles A - E above will not be supported.”
- 9.8. The Design and Access Statement explains the design concept as follows:
- 9.9. The proposed building is a two-storey cottage with two bedrooms. It directly references the volumes of the existing cottage, modestly enlarging rooms and improving the layouts to suit modern family living.
- 9.10. The double height volume is concentrated to the northwest corner of the site, on the footprint of the main existing volume, and acts as a natural conclusion to the terrace with 28 South Green and Bonsey House.
- 9.11. The central courtyard provides valuable light into the long and narrow site whilst simultaneously recalling the broken-up nature of traditional cottages.

- 9.12. Gun Hill Cottage is designed to complement the landscape and existing levels of the site. Soft landscaping is used to blend the volumes into the surrounding greenery and promote the character of the area; great importance is given to the front and rear gardens, which are treated equal to the building itself. These amenity spaces will be rejuvenated and improved to become valuable landscapes for the occupants, beautiful views from public footpaths and an oasis for local wildlife".
- 9.13. The double storey volume is deliberately located where the topography is lowest and where that volume currently exists.
- 9.14. Main additions include infilling the central part of the site with a single storey volume, and a submerged structure to the east which will be masked by the surrounding hillside and greenery.
- 9.15. The roofscape makes reference to the characteristically abundant display of chimneys and roofs of wider Southwold. The interplay of levels and building heights serve to break up and situate the volumes on site;
- 9.16. The footprint of development on the site is increased from existing but is said to remain modest in scale, particularly in comparison to neighbouring properties.
- 9.17. The overall material palette is muted and neutral, picking up on natural accents of the area and designed to give the house a timeless expression. A mixture of slate, standing seam metal and green roof. The facades are proposed to be lime rendered, using a variety of aggregates. Doors, window surrounds and joinery features will be timber, oiled and treated to provide sustainable protection from the elements, but allowed to age naturally. Small details such as guttering and metal fittings will be made with copper and blackened steel, to suit application.
- 9.18. Pre-application discussions have taken place and consultation with Southwold Town Council and various amendments made in response to comments received.
- 9.19. Officers are largely supportive of the design of the proposed dwelling. Its canted front elevation references the bay windows of the adjacent Victorian buildings, allowing it to establish a sense of continuity with its surroundings. The sloping roofscape and gable end on the front elevation reference the surrounding historic buildings, while the roof's irregular design also establishes it clearly as a contemporary structure. The stairwell tower and chimney stack structures also reflect the varied roofscapes of the historic town, and therefore also contribute to the building's character. In addition, the proposed balcony on the south-east elevation adds character and charm to the design and also helps establish the site's seaside location, taking advantage of sea breezes.
- 9.20. Most of the materials proposed are positive and will allow the structure to integrate well with its neighbours, such as the slate roof, timber surrounds for the windows and slurried flint boundary wall, while high quality modern materials allow it to be legible as contemporary, including the metal roof and extensive glazing.
- 9.21. Concerns were raised with the aggregate mix of flint, shale and shells and this element has been agreed to be explored further by condition.

- 9.22. At pre-application stage the appropriateness of an integral garage on this prominent elevation was raised, also this would create an additional vehicular crossing over the village green. This aspect of the proposals still formed part of the original application and was considered to detract from the design quality of the proposal. This element has since been removed and replaced with a door to gain access to the property, exact details of which are to be reserved by condition.
- 9.23. The proposal, with the minor amendments now proposed, is considered to be acceptable representing high quality design, which would enhance the character and appearance of the Southwold Conservation Area. The proposal therefore accords with the Development Plan and NPPF

Residential Amenity:

- 9.24. Policy WLP8.29 seeks to protect the amenity of neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. This is also a requirement of Paragraph 130 (f) of the NPPF.
- 9.25. The D&A Statement highlights that:
- “The massing has been carefully considered based on pre-existing fabric, minimising impact on neighbouring properties and maximising natural light as well as catchment areas for passive heating”.
- ” Maintaining the existing hierarchy of the volumes, the building drops in height towards Cannons and towards the rear. Perimeter roofs have been sculpted to maintain existing eaves heights toward neighbouring properties, referencing existing boundary walls and protecting current views and light ingress”.
- 9.26. From a site visit it is evident that the occupiers of Cannons will not be affected by the proposal. The neighbours on the west side at Bonsey have highlighted concerns with the proposal in terms of the increased height of the property and the resultant impact on their side windows which would obscure views towards Gun Hill, impacting on the outlook from these windows and light into them. Being a coastal property its outlook in this direction is considered to be an essential component by the owner.
- 9.27. Although Officers have not been in this property it is highlighted that these are south facing windows of the master bedroom and two South facing windows of the en-suite bathroom.
- 9.28. Whilst it is acknowledged that this proposal would affect the outlook from these windows and the view towards Gun Hill and the sea, it should be noted that the impact in view is not a material planning consideration. In the case of the master bedroom it is a secondary window to this habitable room but does not provide the primary outlook or light which will remain unaffected. The en-suite bathroom windows are not habitable rooms and therefore the impact on these windows is of lesser importance.

- 9.29. The rear window to the first-floor bedroom would allow a view to the rear but in terms of overlooking to the courtyard garden at Bonsey House the opportunity for this would be very limited and at an oblique angle.
- 9.30. It is considered that the proposal as a whole protects the amenity of the occupiers of the adjacent properties as required by Policy WLP8.29 and the NPPF.

Landscape:

- 9.31. Policy WLP8.35 - "Landscape Character" highlights that development proposals should demonstrate that 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.
- 9.32. The Waveney District Landscape Character Assessment (2008) identifies the F2: Southwold Coast landscape character area directly adjacent to the south and east, which is described as a 'wild coastal landscape of big skies and defined by panoramic views across a windswept, exposed coast'. Southwold forms an important backdrop to views from the Blyth Estuary and harbour, located to the south-west of the town. The location, scale and form of the proposed building should not adversely affect the visual relationship between the settlement and its landscape setting.
- 9.33. The Southwold Conservation Area Character Appraisal identifies a number of important views and vistas within the town, including views out to the coast from within the built-up area and views back into the town from the seafront; however, it does not appear that the proposal would impact on any of these. Whilst the scale of the proposed dwelling is slightly larger than existing, the existing dwelling already limits potential views out to the sea from the Gun Hill and South Green public open spaces.
- 9.34. The landscaping scheme includes a series of courtyard areas and aims to incorporate native planting and local materials to reference the special qualities of the AONB. The use of native, resilient species suited to the location is supported and proposed planting will help to improve biodiversity at the site. Additional landscaping details including a planting plan, planting schedule and specification can be secured by condition.
- 9.35. The AONB unit have also reviewed the application documents and have confirmed that the proposed replacement dwelling will be a positive addition within the Suffolk Coast & Heaths AONB and the Marine Villas Character Area of the Southwold Conservation Area.

Highways:

- 9.36. SCC Highways Authority have not commented on the application. As this is a replacement dwelling and the number of bedrooms is not increasing, it is considered that maintaining the existing parking area is acceptable.
- 9.37. As highlighted previously the integral garage has been removed from the scheme, however the internal measurements of that space did not comply with the Suffolk Guidance for Parking in any case and it would not be considered to be a 'parking space'.

- 9.38. Within the response from Southwold Town Council it was highlighted that they 'would not want to lose any parking onsite'. The proposal as amended would achieve this as the external parking area which exists currently is to be maintained.
- 9.39. The Southwold Neighbourhood Plan Policy SWD7 requires development to comply with Suffolk Guidance for Parking. The site is within Zone 5 which as highlighted by Policy SWD7 is one of the areas at capacity, to provide for the cumulative parking needs of residents, workers and visitors for on street parking.
- 9.40. One of the other aims of this Policy is that proposals should also not lead to a car dominated environment. In this case as the proposal is for a replacement dwelling of similar bedroom spaces the retention of the parking area as existing is considered to be acceptable and complies with the aims of the Development Plan and the NPPF.

Coastal Management

- 9.41. The site falls within 30 metres of the Coastal Change Management Area. Policy WLP8.25 "Coastal Change Management Area" requires all planning applications for development within the Coastal Change Management Area and 30 metres inland to be accompanied by a Coastal Erosion Vulnerability Assessment which demonstrates that the development will not result in an increased risk to life or property.
- 9.42. A suitable assessment has been submitted with this application; the Coastal Management team are of the opinion that the CEVA provided is compliant with the Development and Coastal Change Supplementary Planning Document and have no comments to add.

Ecology

- 9.43. The Council's ecologist has considered the Ecology information submitted and is satisfied with the conclusions of the consultant. Subject to conditions the proposal will accord with Policy WLP8.34.
- 9.44. As this is a replacement dwelling no RAMS contribution required.

Contaminated Land

- 9.45. A phase 1 contaminated land assessment has been provided with the application. Based upon the findings of the preliminary risk assessment and site walkover, a number of potential contaminant sources and pathways to potential receptors have been identified.
- 9.46. It is recommended that a preliminary targeted intrusive ground investigation is undertaken post-demolition to determine the extent of any potential contamination within the soil strata within the areas of concern.
- 9.47. It is recommended that monitoring wells for ground gas and groundwater should be constructed on site as part of the investigation with subsequent monitoring visits undertaken.
- 9.48. Therefore in order to comply with Paragraph 183 of the NPPF standard Contaminated Land Conditions are required to ensure this assessment is carried out and that suitable mitigation is agreed.

Sustainability

- 9.49. The design of the proposal has sustainable design principles embedded within it with a 'fabric first' approach.
- 9.50. The high-performing, airtight envelope ensures a ground source or air source heat pump become viable options for internal climate control. A utility room has been allowed for in the plan, to accommodate a heat pump.
- 9.51. The main chimney, besides helping to stabilise the main house frame, will house the Mechanical Ventilation and Heat Recovery (MVHR) system.
- 9.52. The proposal therefore accords with the sustainable construction principles highlighted within Policy WLP8.28

10. Conclusion

- 10.1. The dwelling to be demolished has not been identified as a Non-Designated Heritage Asset and is not highlighted within the Southwold Conservation Area Appraisal as having a positive impact on the character and appearance of the Conservation Area. Therefore there is no objection to the principle of demolition.
- 10.2. The replacement dwelling is well considered; of high-quality design, which proposes a contemporary dwelling which will enhance the character and appearance of the Southwold Conservation Area.
- 10.3. The impact of the proposal on neighbour amenity has been considered within the design and would safeguard neighbour amenity.
- 10.4. The level of off-street parking on the site will be maintained as existing, with the number of bedrooms proposed not increasing. This development will therefore not increase the pressure in an area of limited on street parking.
- 10.5. The proposal is considered to accord with the Development Plan as a whole and the NPPF.

11. Recommendation

- 11.1. Approve, subject to conditions.

Conditions

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

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

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

Drawing No PL001 Rev P2 - Site Plan - Received 21 September 2023

Drawing No PL002 Rev P2 - Block Plan - Received 21 September 2023
Drawing No PL202 Rev P2 - Roof Plan Proposed - Received 21 September 2023
Drawing No PL210 Rev P3 - Front Elevation Proposed - Received 21 September 2023
Drawing No PL211 Rev P2 - Rear Elevation Proposed - Received 21 September 2023
Drawing No PL200 Rev P3 - Ground Floor Plan Proposed - Received 21 September 2023
Drawing No PL212 Rev P2 - Side Elevations Proposed - Received 21 September 2023
Drawing No PL210 Rev P1 - First Floor Plan Proposed - Received 17 July 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. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (Geosphere Environmental, July 2023, Version 2) Bat Scoping & Activity Survey (Geosphere Environmental, July 2023, Version 2) and Bat Hibernation Survey (Geosphere Environmental, July 2023, Version 2) 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.

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

Reason: To ensure that nesting birds are protected

5. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details and retained in this approved form thereafter:
 - Window and door Joinery details in section, including any external timber shutters.
 - Full materials specification.
 - Design of door to front elevation.
 - Eaves and verge details.

Reason: In order to ensure a high quality design, appropriate to the site and its setting.

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

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

7. The use shall not be occupied until the area(s) within the site shown on drawing no. for the purposes of manoeuvring and parking of vehicles including electrical vehicle charging and secure cycle storage/bin 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 vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

8. 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 (locations and times) and a methodology for avoiding soil or other materials from the site tracking onto the highway together with a strategy for remedy of this should it occur. 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. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

9. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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.

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

10. The landscaping scheme approved within condition 9 shall be completed within the first available planting season following commencement of the development, 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 satisfactory external appearance of the building.

11. The use shall not commence until the area(s) for the storage of refuse and recycling bins as shown on Drawing No. Drawing No. PL200 Rev P3, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

12. The use shall not commence until the area(s) for cycle storage and electric vehicle charging infrastructure as shown on Drawing No. PL200 Rev P3, shall be provided and thereafter shall be retained and used for no other purposes.

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

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

Following the Phase 1 desk study and site reconnaissance an intrusive investigation(s), based on the recommendations of the desk study, including: the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy; explanation and justification for the analytical strategy; a revised conceptual site model; and a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

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

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

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

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

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

16. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

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

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

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

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

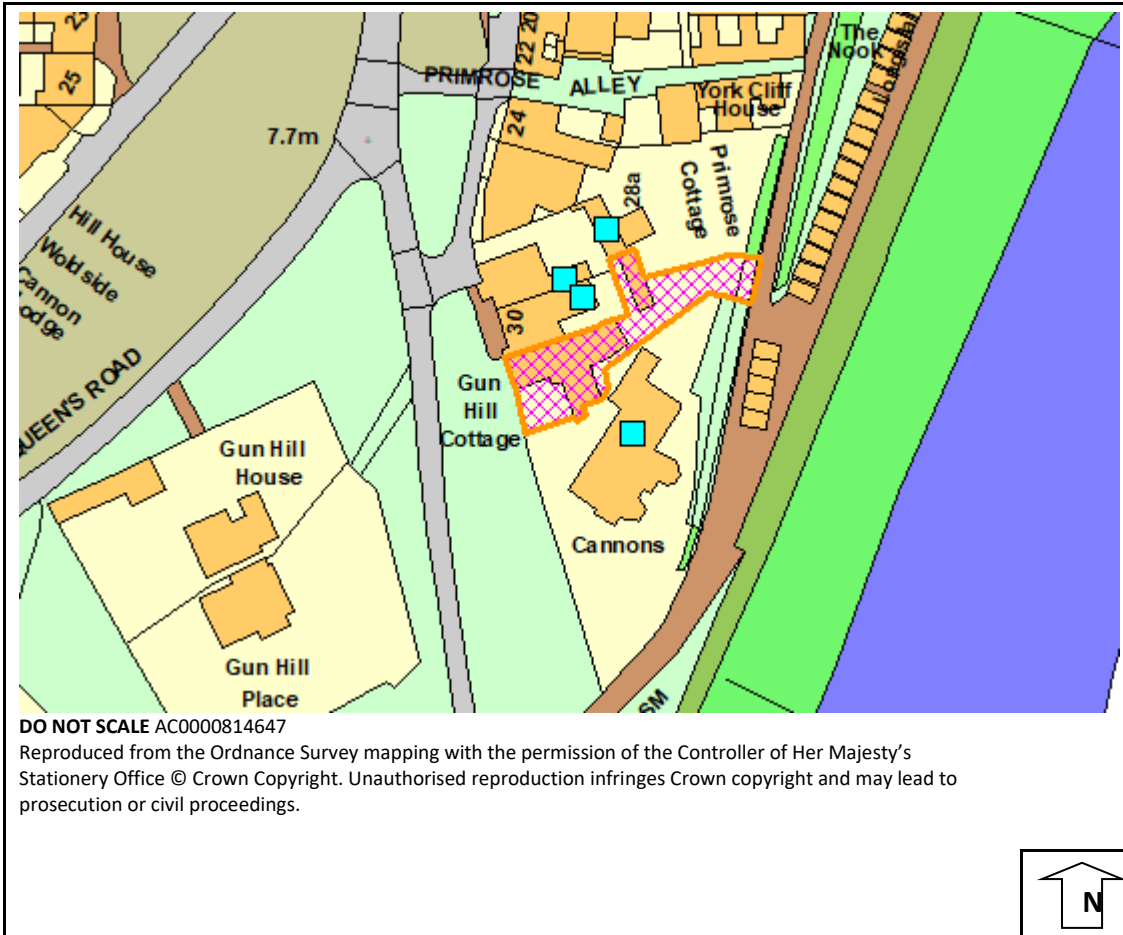
12. Informatives:

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/23/2803/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North - 10 October 2023

Application no DC/23/3166/RG3

Location

41 Mount Pleasant
Halesworth
Suffolk
IP19 8JF

Expiry date 11 October 2023

Application type Deemed Council Development

Applicant East Suffolk Council

Parish Halesworth

Proposal Change of use from class sui generis (c) linen service to C3 residential and single storey side extension

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

1. Summary

- 1.1. Planning permission is sought for the Change of use from class Sui Generis (c) linen service to C3 residential and single storey side extension.
- 1.2. The application is presented to members as the land is owned by East Suffolk Council, which automatically triggers referral to Planning Committee.
- 1.3. The proposal is considered to accord with the Development Plan and is recommended for Approval.

2. Site Description

- 2.1. The site is situated on the corner of Mount Pleasant and the Avenue, within the settlement boundary of Halesworth in a predominantly residential area outside of the Town centre Boundary.

- 2.2. The premises forms half of a semi-detached property with No. 40, which is in residential use.
- 2.3. Whilst there is no planning history available for this site, it appears that this property has been in commercial use for some years, most recently as a laundrette (Sui Generis Use) and prior to that as a charity shop.

3. Proposal

- 3.1. The proposal is for the change of use of the premises from class Sui Generis (c) linen service to C3 residential and the construction of single storey side extension to provide a 1-bedroom property.

4. Third Party Representations

- 4.1. No third-party representations received.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Halesworth Town Council	21 August 2023	25 August 2023
Summary of comments: The Planning & Highways Committee of Halesworth Town Council have no objections to this application.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	21 August 2023	No response
Summary of comments: No response received		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	21 August 2023	11 September 2023
Summary of comments: Based on the available information the proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats or species (under		

section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))

RAMS payment required

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 August 2023	22 August 2023
Summary of comments: No objection - unexpected contamination condition required		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Halesworth Town Council	4 September 2023	No response
Summary of comments:		

Site notices

General Site Notice

Reason for site notice:
Change of Use
Date posted: 11 September 2023
Expiry date: 2 October 2023

General Site Notice

Reason for site notice: Change of Use
Date posted: 25 August 2023
Expiry date: 18 September 2023

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”*.
- 6.2. The National Planning Policy Framework (NPPF) (2023) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP8.12 - Existing Employment Areas

- WLP8.29 – Design
- WLP8.33 - Residential Gardens and Urban Infilling
- WLP8.34 - Biodiversity and Geodiversity

6.4. The Halesworth Neighbourhood Plan ('Made' February 2023), also form part of the Development Plan of which the following Policies are relevant:

- Policy HAL.DH1: Design
- Policy HAL.ED1: Small-scale commercial workspaces and micro employment area.

7. **Planning Considerations**

Principle

- 7.1. The site is situated within the settlement boundary of Halesworth but outside of the Town Centre boundary. The local plan only provides protection for commercial units within the Primary or Secondary frontages in the Town centre or within Allocated employment sites defined by the Local Plan policy maps. Neighbourhood Plan policy HAL.ED1 provides additional protection for small scale commercial uses in areas of the Town such as Station Yard and Miles Ward Court, but does not extend to protection of commercial uses such as this.
- 7.2. Therefore, the principle of change of use can be supported subject to compliance with other policies of the Development Plan.

Design

- 7.3. The proposal shows a side extension which would enable a small 1-bedroom property to be provided. Policy WLP8.29 and HAL.DH1 require developments to demonstrate high quality design, which respects the local character of the area.
- 7.4. Policy WLP8.33 - "Residential Gardens and Urban Infilling" is considered to be of relevance, which seeks to promote good design by, amongst other things, not providing development which is out of character with the density of surrounding development and not generating a cramped form of development.
- 7.5. In this case the proposals show an extension which is similar in scale to the existing property, continuing in the same form with matching materials, which is considered to be acceptable.
- 7.6. Albeit that the extension would go up to the eastern boundary, due to the walkway to the side and rear of the curtilage access to the rear would still be maintained and space would be maintained between the extension and other development in the vicinity so as not to create a cramped form of development.
- 7.7. The proposal is acceptable in design terms and would comply with the aims of Policies WLP8.33 and WLP8.29.

- 7.8. The design also incorporates sustainable construction features such as renewable energy generation in the form of PV panels and an Air Source Heat Pump as encouraged by Policy WLP8.28.

Residential Amenity

- 7.9. The proposal as shown would have limited impact on the amenities of the surrounding neighbours. However, due to the rear patio doors proposed and the raised area created it is considered necessary that screen fencing is provided on the western boundary. This would provide privacy to the occupiers of the adjoining property at No. 40 and also the occupiers of this future property as currently there is a low fence to the rear and now this area will be used as a residential garden.
- 7.10. The proposal is therefore considered to comply with the requirements of Policy WLP8.29, which requires development proposal to protect the amenity of surrounding neighbours and to provide a good standard of amenity to future occupiers.

Highways/access

- 7.11. The access is to be retained in the same place as existing, details of which have been provided on the layout plan. SCC Highways Authority have not commented on the application. The proposal complies with the Suffolk Guidance for Parking (2019), and conditions for infrastructure such as refuse/recycling facilities, cycle storage provision and EV charging are to be applied, if permission is granted.

Ecology

- 7.12. Based on the available information, the proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats or species (under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)).
- 7.13. In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Benacre to Easton Bavents SPA and Minsmere-Walberswick SPA/SAC/Ramsar) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This contribution has been secured by S111 payment.

Contaminated land

- 7.14. The application is supported by a Contaminated Land Questionnaire and Environmental Search document. These documents demonstrate a low risk of contamination and are considered to meet the requirements of Paragraph 183 of the NPPF.

Removal of Permitted Development Rights

- 7.15. Due to the small rear garden area, it is considered necessary to remove Permitted Development rights for extensions and outbuildings (Class A and E) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015

(as amended). This means that those forms of development could only take place in the event that a planning application was made, and permission granted.

8. **Conclusion**

- 8.1. There is no policy objection to the loss of this commercial unit in this location as it is situated outside of any designated employment area as shown on the Policies maps.
- 8.2. The proposed development is of an appropriate design and scale which would have minimal impact on the amenity of occupiers of properties in the vicinity.
- 8.3. The proposal would provide a small accessible unit that will provide a useful contribution to the Council's housing stock.
- 8.4. The proposal is considered to accord with Development Plan Policies identified within this report and the objectives of sustainable development within the NPPF.

9. **Recommendation**

- 9.1. Approve subject to conditions.

10. **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 2324.103/001, 2324.103/006, 2324.103.SCCH, received 10 August 2023 and Drawing Nos. 2324.103/007 B, 2324.103/008 B; received 20 September 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations) or E (buildings or enclosures within the curtilage of the house) of

Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

5. Prior to the occupation of the property the screen fence to the western boundary, as shown on Drawing Nos. 2324.103.007 B and 008 B, shall be provided and thereafter retained as approved.

Reason: In order to protect the amenity of the adjoining property from overlooking from the raised stepped podium and garden area, in accordance with the requirements of Policy WLP8.29 to protect the amenity of neighbouring uses.

6. The use shall not commence until the area(s) for the storage/presentation of refuse and recycling bins as shown on Drawing No. 2324.103/007 B, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 2324.103/007 B, for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) retained and used for no other purposes.

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

8. The use shall not commence until the area(s) for cycle storage and electric vehicle charging infrastructure as shown on Drawing No. 2324.103/007 B, shall be provided and thereafter shall be retained and used for no other purposes.

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

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

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

in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared and is subject to the review and confirmation in writing by the Local Planning Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

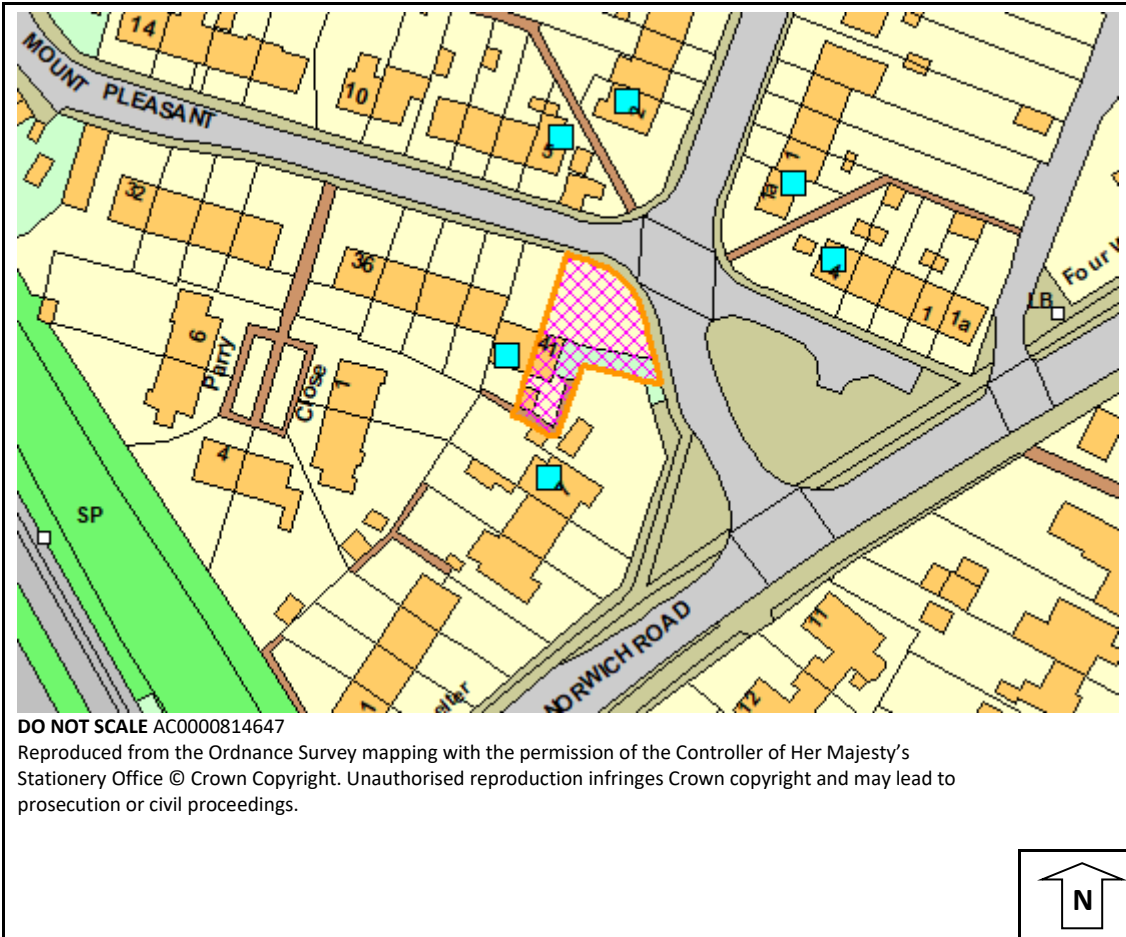
Following completion of the remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

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





Background information

See application reference DC/23/3166/RG3 on [Public Access](#)

Map



Key

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



Committee Report

Planning Committee North - 10 October 2023

Application no DC/23/3327/FUL

Location

Central House
The Street
Westleton
Saxmundham
Suffolk
IP17 3AA

Expiry date 19 October 2023

Application type Full Application

Applicant Mr Christopher Jones

Parish Westleton

Proposal Renovation of existing garage, store and garden room to create carport, store and loggia.

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

1. Summary

- 1.1. This application proposed the renovation of an existing garage, store and garden room to create a carport, store and loggia. 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 be determined by Planning Committee because East Suffolk Council control the land of the proposed buttresses to the rear of the outbuilding.

2. Site Description

- 2.1. The application property is a likely early 19th century detached property located within the settlement boundary of Westleton, within the Westleton Conservation Area. The property is set back from The Street with a small, hedged garden to the front. The property is identified as an Unlisted Structure which makes a Positive Contribution to the Conservation Area in the Westleton Conservation Area Appraisal, where it is described as such:

"Unusual twin gables facing The Street, with black glazed pan tile roof running at rights angles. Possibly the structure depicted on the 1842 tithe map, with a single storey side addition, probably dating from the third quarter of the C19, with crow-stepped parapet hiding the lean-to roof. Rendered elevations (covering facing brick) with deep rendered surrounds to window openings. Unusual configuration of ground floor windows owing to the former use as commercial premises. To the first floor are original 8 over 8 pane sash windows."

- 2.2. The property sits next to the former Primitive Methodist Chapel, with a rear garden that extends around the back of the Chapel. The garage which is proposed for renovation is situated in this location to the rear of the Chapel and is accessed from an unnamed lane running to the side of the Chapel. The garage is also noted in the supplementary planning document, where it is described as such:

"Possibly contemporary to the chapel. Attractively detailed single storey detached store, with cobble and brick panels to the NW elevation framed with red brick margins. This elevation is in near perfect alignment with the former Vicarage and consequently may have been constructed from good materials because of this visual relationship."

- 2.3. The rear of the garage backs onto a public open space in the form of a pond which is owned by East Suffolk Council.

3. Proposal

- 3.1. Planning permission is sought for the renovation of the existing garage, store and garden room to create a carport, store and loggia. The scheme involves a number of alterations to the existing structure, of which the main alterations include the removal of a wall in the existing garage to create an open carport, the removal of a wall in the existing store to create an open loggia and the buttressing of the exterior of the proposed car port.

- 3.2. Further alterations include replacement doors to the proposed carport, new timber gates to access the site, and the exterior cladding of part of the existing structure. The roof is proposed to be modified, with a change in pitch while retaining the mono-pitch style. The scheme also proposed the demolition of an existing lean-to structure.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Westleton Parish Council	30 August 2023	20 September 2023
Summary of comments: No objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	5 September 2023	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	30 August 2023	5 September 2023
Summary of comments: 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.		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	7 September 2023	28 September 2023	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Conservation Area

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)

SCLP11.6 - Non-Designated Heritage Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

Westleton - Conservation area appraisal (East Suffolk Council - Suffolk Coastal District Local Plan - Supplementary Planning Document)

7. Third Party Representations

7.1 No third-party comments have been received.

8. Planning Considerations

Design, Visual Impact and Heritage

- 8.1 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.
- 8.2 Planning policy SCLP11.5 - Conservation Areas states that proposals for development within a conservation area should demonstrate an understanding of the significance of the conservation and the potential impact of the proposal, they should preserve or enhance the character of the conservation area, be of an appropriate design, scale, form, height, massing and position, retain important settlement form features, and that they should use high quality materials and methods of construction.
- 8.3 Planning policy SCLP11.3 - Historic Environment also states that any development, where possible, should make a positive contribution to the historic environment.

- 8.4 Planning policy SCLP11.6 - Non-Designated Heritage Assets sets out that proposals for the re-use of Non-Designated Heritage Assets will be supported if compatible with the elements of the fabric and setting of the building or structure which contribute to its significance, and that applications which result in harm to the significance of a Non-Designated Heritage Asset will be judged based on the balance of the scale of any harm or loss, and the significance of the heritage asset.
- 8.5 The proposed scheme involves a number of separate alterations to the existing structure. The structure, which consists of an earlier part constructed in brick and flint making up the current garage, and more modern extensions with the rear elevation in rendered concrete. It should be noted that only the original structure is described in the supplementary document to the Conservation Area Appraisal. The original flint and brick structure has been increased in height at some point during the 20th century, with a timber header supporting a mono-pitch corrugated cement fibre roof. The two extended portions also have a corrugated cement fibre roof, although the different heights of the three sections means the roofline is somewhat staggered.
- 8.6 Public visibility of the structure is mainly limited to the rear and side elevations, with views of the front elevation limited to what can be seen over the existing six-foot tall timber gate. Works to these exterior elevations include a new roof, the addition of three buttresses to the rear of the flint and brick section, and the cladding of the concrete rendered sections with a black hardy plank horizontal boarding.
- 8.7 The new roof proposed will be of a similar mono-pitch style, with a slightly steeper pitch, and constructed in onduline or box steel. The roofline will be simplified, with the step between the two extended sections removed, although a step between the flint and brick structure and the later additions will remain. The existing roof consists of a rather unsympathetic addition to the original store, with no architectural qualities. The proposed roof represents an improvement on the existing and can be considered acceptable.
- 8.8 The addition of three buttresses to the rear of the flint and brick structure, proposed to align with the gaps in the flint face, will not have a significant impact on the appearance of this part of the structure. Additionally, they are proposed as the wall has suffered from damp and subsidence, leading to it leaning noticeably and being at risk of collapse. The proposed additions attempt to support the wall in order to preserve it. They can therefore be considered acceptable.
- 8.9 The proposed hardy plank boarding will hide the rather unsympathetic concrete rendered extensions to the original flint and brick store, and while they will not be constructed of the same material as this the boarding will harmonise better with the original store. The two portions proposed will link visually with the two portions of the flint wall. The appearance is considered to be a significant improvement on the existing structure and complies with the above policies.
- 8.10 New garage doors are proposed for the carport, with a new timber gate to the side. The existing doors and gate are in poor condition and of no particular architectural value. The proposed replacements are acceptable in appearance.

- 8.11 Works to the interior elevations, with very limited public visibility, are less sensitive when assessed against the impact on the conservation area. The proposed scheme involves three major parts, with works to the proposed carport, store, and loggia.
- 8.12 The existing garage, which is proposed to be changed into a carport, will have a wall removed and left open, with timber framing to the new opening. Although the loss of the front elevation of this historic structure is regrettable, there is little public visibility of this aspect of the structure. Additionally, the garage as existing is too small to be considered an appropriately sized garage, as it fails on both the recommended length and width. With the opening up of the structure, the width issue is addressed and has the potential to allow the space to be used for parking. As the elevation cannot be seen from the public realm it will not significantly impact the conservation area, and the improved usability of the structure combined with the works proposed to improve the deteriorating condition of the structure, the loss of this elevation can be considered to comply with the above policies. Potential inappropriate parking has been noted as an issue in the Conservation Area Appraisal and the improvement to existing parking arrangements should therefore be viewed positively.
- 8.13 Works are also proposed to the existing store, lean-to, and garden room, with the lean-to proposed to be demolished. This structure has no historical or architectural significance and its loss will not impact the historic environment negatively. It should be noted that the lean-to is not included on the map of unlisted buildings which make a positive contribution to the conservation area included in the Conservation Area Appraisal. The store will be increased in size and clad in hardy plank boarding to match the rear. The garden room will be opened up on the front elevation, with timber post framing. These elements are attractive and as there is no historical value to the changed structures, can be considered to comply with the above policies.

Residential Amenity

- 8.14 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.
- 8.15 The only change that has the potential to negatively impact upon neighbouring residential amenity is the proposed change in pitch of the roof, which will result in an increase in the total roof height. However, the only direct neighbour is the former Primitive Methodist Chapel, which has no facing windows. The proposed roof height remains modest and will not significantly impact members of the public enjoying the open space to the rear of the property, especially as the change in height will mainly be to the front. The proposed scheme therefore complies with the above policy.
- 8.16 The buttresses which are proposed to the rear of the structure have the potential to impact upon the root protection areas of nearby trees. The excavations for these are proposed to be by hand, with clean pruning of any roots encountered. The Council's Landscape Team has confirmed that, subject to the working methods outlined in the report, no significant detriment to the nearby trees is anticipated.

9. Conclusion

- 9.1 The proposals accord with the relevant national and local policies and guidance listed above and are therefore acceptable.

10. Recommendation

- 10.1 Approve, subject to conditions listed 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 carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. 1050/22/06 Rev.B, 1050/22/10 Rev.B, 1050/22/09 Rev.B, 1050/22/08 Rev.B, 1050/22/07 Rev.B and LSDP 2104.01 all received on 24 August 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

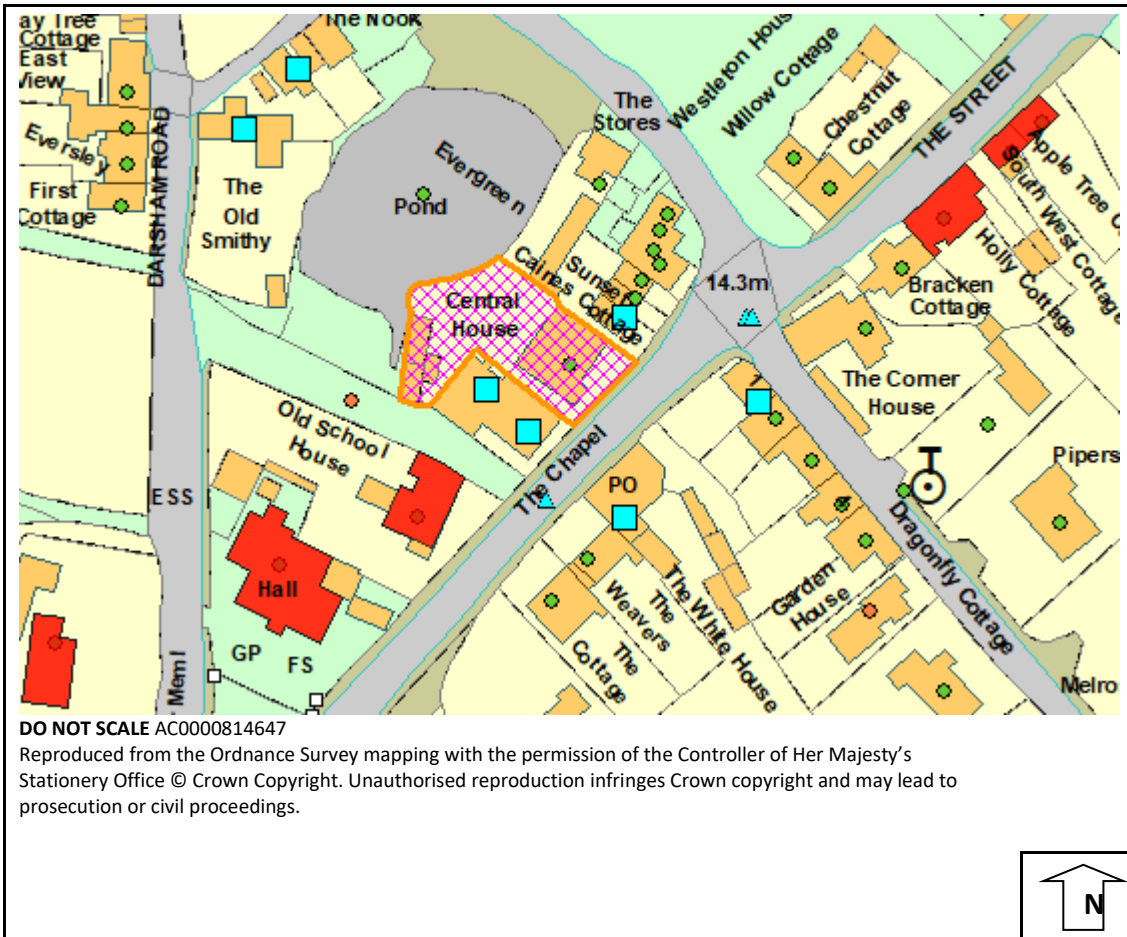
Informatives:

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/23/3327/FUL on [Public Access](#)

Map



Key

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