



Committee Report

Planning Committee North - 11 July 2023

Application no DC/23/0038/FUL

Location

Land Adjacent to 48
Mclean Drive
Kessingland
Suffolk

Expiry date 2 March 2023 (EOT time agreed until 14 July 2023)

Application type Full Application

Applicant Ben Habermel-Aldridge

Parish Kessingland

Proposal Construction of new dwelling on vacant site; provision of off-street parking on land at 2 Smith Crescent

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1. Summary

- 1.1. Planning permission is sought for the construction of a new dwelling on land adjacent to 48 Mclean Drive; including provision of off-street parking on land at 2 Smith Crescent.
- 1.2. This proposal is considered to overcome the previous application refusal reasons related to parking provision; the dwelling is well designed and protects the amenity of neighbouring occupiers.
- 1.3. This application was presented to the referral panel on Friday 9 June 2023 as officers are minded to Approve the application contrary to the recommendation of Refusal from Kessingland Parish Council.
- 1.4. At the referral panel it was decided to refer this item to planning committee for determination.

2. Site Description

- 2.1. The site is located within the Settlement Boundary for Kessingland. The proposed single storey dwelling would occupy a vacant parcel of land centrally located within a large estate of housing. In this area the residential development mainly comprises a geometric layout of blocks of small, single storey dwellings, with separate garage courtyards and parking areas. In a lot of cases, the homes are without direct vehicular access onto the estate road but are otherwise served by a network of pedestrian routes.
- 2.2. There have been a number of previous applications at the site refused under delegated powers, as follows:
- DC/17/4274/FUL - Construction of a pair of two-bedroom affordable bungalows plus new dropped kerb access - Refused 04.12.2017 – (Highway grounds).
 - DC/18/1952/FUL - Erection of a 3-bedroom detached bungalow plus new dropped kerb - Refused 10.07.2018 – (Highway grounds) - Appeal Dismissed 09.08.19 (**See Appendix A**).
 - DC/20/2172/FUL - Construction of new dwelling on vacant site - Refused 04.09.2020 (Highway Grounds and RAMS) - Appeal dismissed 09.02.2021 (**See Appendix B**).
 - DC/21/3976/FUL - Construction of new dwelling on vacant site; provision of off-street parking using adjacent existing garage – Refused 15.10.2021 (Highway Grounds and RAMS).
 - DC/22/0033/FUL - Construction of new dwelling on vacant site; provision of off-street parking using adjacent existing garage - Refused 15.10.2021 (Highway Grounds and RAMS).

3. Proposal

- 3.1. Planning permission is sought for the erection of a single storey dwelling. The dwelling will comprise of two bedrooms, living area, kitchen, and bathroom.
- 3.2. Off-street parking is proposed on land at 2 Smith Crescent, which is approximately 45 metres from the proposed property.

4. Third Party Representations

- 4.1. Six representations have been received objecting to the application, raising the following key concern (inter alia):
- Proposed parking spaces are a significant distance from the proposed new dwelling, unlikely to be used adding to congestion in the area.
 - These spaces remove two available on road spaces and make manoeuvring difficult for others.
 - Direct overlooking of No. 20 Turrell drive.
 - Concerns over how the property will be constructed without vehicular access.

- The area is also subject to surface water flooding/sewerage issues.
- No EV parking shown.
- The proposed new bungalow would not be consistent with the current open layout of the area. The line of site would be moved forward from the existing property line and would result in the new property intrusively overlooking the existing properties 18, 20 and 22 Turrell Drive.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Kessingland Parish Council	12 January 2023	25 January 2023
<p>Full Comments:</p> <p><i>Following the Planning & Highways Committee meeting that was held on 25th January 2023 the following recommendation was made for your consideration.</i></p> <p><i>DC/23/0038/FUL Construction of new dwelling on vacant site; provision of off-street parking on land at 2 Smith Crescent Land Adjacent 48 Mclean Drive Kessingland Suffolk.</i></p> <p><i>The committee discussed this application and concerns were raised with the proposed parking spaces as if they were permitted, they would be taking up two on road spaces and would be reserved for just the residents. This would mean that they could spend long lengths of time unoccupied when they could otherwise be used by members of the public if they remained on road spaces. Councillors also felt that this application did not improve on the previous application for this site which was previously refused, the dwelling is not in keeping with the street scene and the site would be overdeveloped should this application be granted. The dwelling would go against the building line on both sides of the road and would overlook the properties opposite, therefore the committee recommends refusal of this application.</i></p>		

Consultee	Date consulted	Date reply received
Kessingland Parish Council		20 June 2023
<p><i>Planning application Ref. No: DC/23/0038/FUL Land Adjacent 48 Mclean Drive Kessingland Suffolk</i></p> <p><i>This meeting was attended and addressed by four residents who were representing the community who live around the site to which this application relates. The parish council Planning Committee also received a list of concerns from local residents following discussions concerning the development. Residents addressed the committee in relation to this application and how the development would be at odds of both the Neighbourhood and Local Plans and, they felt, brought nothing relevant to the table which would change the decisions of the Planning Dept, (and in one application, the Planning Inspectorate) which were made in relation to a previous similar application.</i></p>		

Residents expressed the following concerns which included the issues that the proposed building does not sit within the existing building line or fit in with the street scene. They also noted the detrimental effect that the development would have on the amenities and outlook of existing properties. Residents further noted that the amended plans do not prevent the loss of on road carparking in the area, it only relocates it around 50m away as the proposed parking in the recent amendments would require a double width dropped kerb on a section of road currently used for existing residential parking. They also questioned whether, given time, should the application be permitted that the occupiers would look to park closer to the property and thus reducing the parking spaces for existing residents. A further concern also raised was that the plans show a 1.8m high wall for the property where the surrounding properties have restrictions on wall height and siting and that this would add to the lack of cohesion with the surrounding properties. In particular, one resident has a view of open space outside their property and, if this application is passed, they will look out onto a 1.8m wall immediately on the opposite side of the footpath.

Councillors considered the concerns raised by existing residents as well as reviewing the previous decisions by both East Suffolk and its predecessor Waveney District Council, along with the Local and Neighbourhood Plans and the ruling by the Planning Inspectorate of a previous appeal. It noted that the original decision was refused due to the close proximity to three existing dwellings in Turrell Drive to the south of the site and as such would be detrimental to the amenities and outlook from these properties and the open character of the area generally, contrary to Policy DM02 of the Development Management Policies Development Plan Document (Adopted January 2011) and Policy H2 of the Kessingland Neighbourhood Plan (November 2016). The committee noted also that policy DM02 had been superseded by section 3 (High Quality and Sustainable Design & Design Principles) of the Waveney Local Plan of 2019.

Councillors noted that previous applications had sought to negate the issue of onsite parking, including the poor access and safety issues particularly for primary school children travelling to and from school by seeking alternative parking facilities. However, each of the applications did not resolve the issue of loss of public parking, merely relocating it. Each of the parking solutions still leads to an identical reduction in the on-road parking to provide off road parking in order to meet the requirements of the Local and Neighbourhood Plans.

The committee considered that this current application meets the failings of the previous application (DC/22/0033/FUL) which was refused on the basis that:

The parking area is totally segregated from the main dwelling, representing poor parking layout and design for modern standards, diminishing the rear garden of no.22, and negatively impacting on the amenity of neighbouring dwellings due to increased vehicle activity. The proposal represents a poor-quality design outcome which would be contrary to the aims of policies WLP8.29 (East Suffolk Waveney Local Plan), H2 (Kessingland Neighbourhood Plan) and the NPPF, and could also result in increased demand for on-street parking given the poor relationship of the parking area to the proposed new dwelling. Residents are likely to find a more convenient parking spot on-street rather than utilise this poorly conceived distant and unrelated parking area, which may not be secured and maintained long term in any case. It is therefore considered that the proposal represents a poor design outcome which is contrary to the aims of Policies WLP8.29 of the Waveney Local Plan, H2 of the Kessingland Neighbourhood Plan, and paragraph 134 of the NPPF.

The committee also noted that the current application has a response from Suffolk County Council Highways Dept dated March 2023 which runs to four pages with conditions which would need to be complied with before they could remove their objection to the development.

The council is also concerned about provision of Electric Vehicle charging points on new builds which we understand came into effect on the 15th of June 2023. There does not seem to be any EV provision within the application and provision of EV charging at the parking spaces which are 46m from the property which they service would either need connection to the property or a separate connection and that is not recognised in the application.

The council is also concerned that this is a second application where both Local and Neighbourhood Plan parking policies have been dismissed and the ability to park at other locations has been used to recommend acceptance of a planning application by an officer. The parish council are concerned that these set dangerous precedents especially as there appears to be no consideration as to what constitutes an allowable distance from a property.

The council does note that the applicant's agent argues that many of the properties have parking allocations which are not connected to the property. These properties were built at a time when planning practice was different and households having a single car or less was the norm, as were blocks of garages on housing estates. This is no longer the norm which is why the Local and Neighbourhood Plans were specifically designed to enforce a minimum number of onsite parking spaces in order that new builds do not affect other residents or the community in a negative manner or add to already existing issues with availability of parking.

The agent also notes that Kessingland is well serviced by public transport. There is a regular bus provision between 9.00am and 5.00pm but outside of those hours there is no public transport to or from the village. Indeed there is no longer a direct access by public transport to the James Paget University Hospital so that with changes a hospital visit is an almost all-day trip for residents without their own transport. The estimate of time to get to the train station in Lowestoft is overly optimistic at five minutes. A fifteen-to-twenty-minute journey is more realistic and does not allow for any of the regular traffic hold ups or the bridge being raised.

In reaching their recommendation the committee expressed its dismay at the contempt which had been shown to the council and local residents with regard to keeping them informed and updated with regard to the amendments to the planning application and, without regular checking of the planning portal, providing an opportunity for a response to those amendments. The amendments have in no way negated the parish councils concerns regarding the objections which have previously been submitted relating to the failure to meet National, Local and Neighbourhood planning criteria and policies.

The council would seek to re-iterate that the design of the property itself does not meet the street scene nor does it fully meet the building line. That the property is a bungalow appears to the committee to be the only similarity that it has with the properties surrounding it. The committee does note that the property has been moved back to be in line with the neighbouring bungalow to the north. The committee noted that the application stated that the Planning Inspector said that the site was possible in principle and that the site was sustainable in principle, however the inspector then details all the points which made the site unsuitable which are the same reasons why the Planning Authority originally rejected the application and, in the parish planning committee's opinion, have not been resolved.

Whilst the concerns over crossing the highway at the property and the dangers to young children travelling to school have been mitigated, they have not been removed. There will still be a dropped kerb to allow access across a nearby pathway to the proposed off road parking spaces and this is

still on the school route just not where all the routes combine.

The main issue which the amendments seek to address relating to parking still remain. Indeed this application could make the situation worse in the long term as the new location will still reduce on road public parking spaces just moving the location further from the property. This distance, in all likelihood, could lead to future occupants of the proposed building trying to park closer and further reduce the numbers of on road parking spaces and increasing the "territorial" nature of residents to parking in the vicinity.

Bearing all of these points in mind the parish council recommends refusal of the application when it comes before the East Suffolk Planning Committee North.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	12 January 2023	25 January 2023
Summary of comments: Holding objection - Lack of information		

Consultee	Date consulted	Date reply received
SCC Highways Department	16 March 2023	29 March 2023
Summary of comments: Holding objection removed - Conditions recommended.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	12 January 2023	17 January 2023
Summary of comments: Unexpected contamination condition required		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	12 January 2023	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	12 January 2023	No response

Summary of comments: No comment received

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	12 January 2023	No response

Summary of comments: No comment received

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	12 January 2023	26 January 2023

Summary of comments: No objection

6. Publicity

General Site Notice

Reason for site notice:
New Dwelling
Date posted: 20 January 2023
Expiry date: 10 February 2023

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)
- WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- PL1 - Physical Limits Boundary (Kessingland Neighbourhood Plan - 'Made' January 2017)

- H2 - Residential Infill and Backland Development (Kessingland Neighbourhood Plan - 'Made' January 2017)
- TM1 - Parking Standards for New Residential Development (Kessingland Neighbourhood Plan - 'Made' January 2017)
- E1 - Protection and Maintenance of Local Green Spaces (Kessingland Neighbourhood Plan - 'Made' January 2017)
- National Planning Policy Framework 2021

8. Planning Considerations

Principle:

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decision-makers determine applications in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2. The site is within the settlement boundary of Kessingland. Policy WLP1.2 highlights 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.
- 8.3. The site is located within the defined settlement boundary and outside of an area of Protected Local Green Space as shown on Figure 10.1 in the Neighbourhood Plan Policy E1 "Protection and maintenance of Local Green Spaces". As such the principle of new residential development is considered acceptable, subject to its compliance with other policies with the Development Plan and the NPPF.

Character and appearance:

- 8.4. Policy WLP8.29 sets out that proposed development should be of high quality, and take account of the built environment area, to produce proposal that respect the character and appearance of the surrounding area.
- 8.5. Policy WLP8.33 - "Residential Gardens and Urban Infilling" and H2 "Residential infill and Backland Development" sets out the requirements of the Local Plan and Neighbourhood Plan with respect to infill developments within settlement limits.
- 8.6. Policy WLP8.33 highlights that housing development on garden and other urban infill sites will be supported where they satisfy the criteria of the policy in relation to the scale, design and siting of the proposal which should not generate a cramped form of development. Other matters relate to amenity of the area and occupiers of neighbouring properties. Safe access should be provided which does not generate significant harm to the character or amenity of the area.
- 8.7. This policy also states that Neighbourhood Plans are able to set their own policies on this type of development which respond to local circumstances.

- 8.8. In this case policy H2 highlights the following:
- 8.9. Within the physical limits boundary of Kessingland, planning permission for residential development proposals on infill and backland sites will be permitted subject to the following criteria:
- Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height and form of its neighbours.
 - Proposals that would lead to over-development of a site or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area.
- 8.10. The particular issues that must be considered in demonstrating that an infill or backland scheme is acceptable are as follows:
- Plot width - plots must be of sufficient width to allow building(s) to be sited with adequate separation between dwellings. The width of the remaining and the new plot should be similar to that prevailing in the immediate area.
- 8.11. McLean Drive is in an extensive residential area that has a distinctive layout, with grouped garage courtyards and parking areas, typically serving bungalows that, in many cases, are not directly accessible from a road but are reached by a network of pedestrian ways. The proposed single storey property would be in a row of other single storey dwellings, in line with that of No. 48, fronting east towards a public footpath and play area, with the private amenity space for the dwelling located on the western side of the site.
- 8.12. The proposal, as submitted, proposes the rear private amenity space to be bounded by 1.8m high walls to the western side; amended plans show the areas to the east and south of the property remaining open, with a 1.8m wall set back from the southern boundary to enclose the rear garden. This is considered to respect the character and appearance of the area, allowing adequate separation between buildings. It is recommended that, if planning permission is granted, that Permitted Development rights would be removed relating to the construction of means of enclosures, extensions and outbuildings. This would require such development to gain express planning permission from the Local Planning Authority, so it can be ensured that any further works preserve the open character of development in this locale and not providing a cramped form of development.
- 8.13. In addition, whilst the design of the dwelling differs to the surrounding uniform design, the quality of the design is considered appropriate, and its scale is considered proportionate to surrounding properties; as such it is not considered to result in an adverse impact on the character and appearance of the surrounding area.

Amenity:

- 8.14. Policy WLP8.29 sets out that proposed development should not result in an adverse impact to the amenity of neighbouring residents. The proposed development is single storey, and as such there are no first-floor windows that would overlook neighbouring properties. The

proposal does include three windows that face south towards the front of neighbouring properties 18, 20 and 22 Turrell Drive and the public footpath that bounds the site.

- 8.15. As these properties are on slightly lower ground and amendments have been sought to remove the southern doors and associated patio accessed from bedrooms 1 and 2, enabling the area to the south to remain open without the need for high boundary fencing. The proposal is now considered to have an acceptable impact on the amenities of these adjacent properties.
- 8.16. In addition, Policy WLP8.29, also requires that proposed dwellings create good amenity for future residents. The proposed rear private amenity space is considered sufficient for the size of the property and appropriate to neighbouring properties and the floor area is above national minimum standards.
- 8.17. The proposal is considered to accord with Policy WLP8.29 with regard to amenity impact.

Access and parking:

- 8.18. This matter has been the source of the previous refusals on the site; the first three applications sought to provide parking on the site, which resulted in an unacceptable impact on highway safety due to the requirement to pass over an area of existing parking and pedestrian footway.
- 8.19. The following three applications sought to address these concerns with the provision of off-street parking remote from the site, as is characteristic of the area. These previous applications were considered contrived in layout and would have resulted in a poor design.
- 8.20. This proposal utilises a small amount of garden area associated with 2 Smith Crescent on the end of an existing row of parking spaces.
- 8.21. This arrangement is considered to be acceptable and provides reasonably convenient access to car parking, which is not dissimilar to many other properties in the vicinity. Whilst there would be a slight loss in green space from this garden curtilage, this would have minimal impact on the character and appearance of the area.
- 8.22. Whilst the comments relating to the existing problems with congestion are noted, SCC Highways Authority do not object to the proposal and it is considered by Officers that this would not worsen the current situation as parking is provided in line with SCC Parking Standards as required by Policy TM1 "Parking Standards and New Residential Development". Furthermore, provision is to be provided for cycle storage to enable future occupiers to also travel by sustainable means in accordance with policy WLP8.21 "Sustainable Transport". It is also highlighted that the site is well served for pedestrians to nearby services and facilities.
- 8.23. The proposal is considered to comply with the aims of Policy WLP8.21, TM1 and paragraphs 110 and 111 of the NPPF.

RAMS:

- 8.24. The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Benacre to Easton Bavents Special Protection Area (SPA); the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site and the Minsmere-Walberswick Heaths and Marshes Special Area of Conservation (SAC)) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. The RAMS payment has been received.
- 8.25. A conclusion of no adverse effect on the integrity of Habitats Sites can therefore be reached and the application is in accordance with the requirements of Local Plan policy WLP8.34 and Chapter 15 of the NPPF.

Community Infrastructure Levy (CIL)

- 8.26. As the proposal is for a dwelling, it would be Community Infrastructure Levy (CIL) liable, and because it is located within a Neighbourhood Plan Area 25% would go to the Parish Council.

Conclusion

- 8.27. In conclusion, the proposal would provide a dwelling in a sustainable location of acceptable design and scale, which would not result in harm to the amenities of surrounding occupiers.
- 8.28. The applicant has overcome previous highway related concerns, with the provision of off-street parking in a relatively convenient location, characteristic of the parking provision across the estate.
- 8.29. The appropriate RAMS contribution has been received, of which the measures to protect nearby European protected sites from the in-combination effect of new residential development are set out within the RAMS Strategy and accompanying SPD.
- 8.30. The proposal is considered to accord with the Policies of the Neighbourhood Plan, Local Plan and NPPF. Furthermore, there are minor benefits arising from the scheme in terms of the social benefits of the provision of a single dwelling and economic benefit from construction, which weigh in favour of the application also.

9. Recommendation

- 9.1. Approval, subject to the conditions as shown below.

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 the Site location Plan; received on 17 February 2023 and Drawing No. 153902 Rev. M; received 17 May 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of approximately 26 metres in the north direction to the centre line of the carriageway and 43 metres in the south direction to the nearside edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

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

5. Before the access is first used pedestrian visibility splays shall be provided within 2 metre by 2 metre triangular areas each side of the access, in accordance with Drawing No. 153902 Rev. M. 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. The visibility splay shall thereafter be retained.

Reason: For the safety of people using the highway by enabling drivers of vehicles entering the highway to see and give way to pedestrians and for pedestrians to have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

6. Works to construct the approved dwellinghouse shall not take place until the vehicle access and parking spaces, shown on Drawing No. 153902 Rev. M, are fully laid out; surfaced with a bound material; and available for the parking of vehicles. Thereafter, these parking spaces shall be retained in this form, and must remain in the same ownership of the approved dwellinghouse, so that they are available for future occupiers in the long-term.

Reason: to ensure the access is laid out and completed to an acceptable design. Also to ensure that the off-site parking provision is delivered at an early stage, and secured long term, in the interest of highways safety.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 153902 Rev. M 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.

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

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

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

9. Before the development 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.

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

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

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

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

12. 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).

13. 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 walls, fences or gates permitted by Class A (gates, fences, walls etc) of Schedule 2 Part 2 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), no alteration, building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) 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.

15. 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 windows permitted by Class A (extensions or alterations) of Schedule 2 Part 1 of the Order shall be constructed on the southern elevation of the property hereby permitted, without the prior written consent of the Local Planning Authority.

Reason: to preserve the amenity of adjacent property.

16. The bathroom window on the southern elevation shall be glazed with obscure glass, and shall be retained in that condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

17. No development shall take place until full details of 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.

The landscaping scheme approved shall be completed within the first available planting season following occupation 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 provision of amenity afforded by appropriate landscape design.

18. 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.

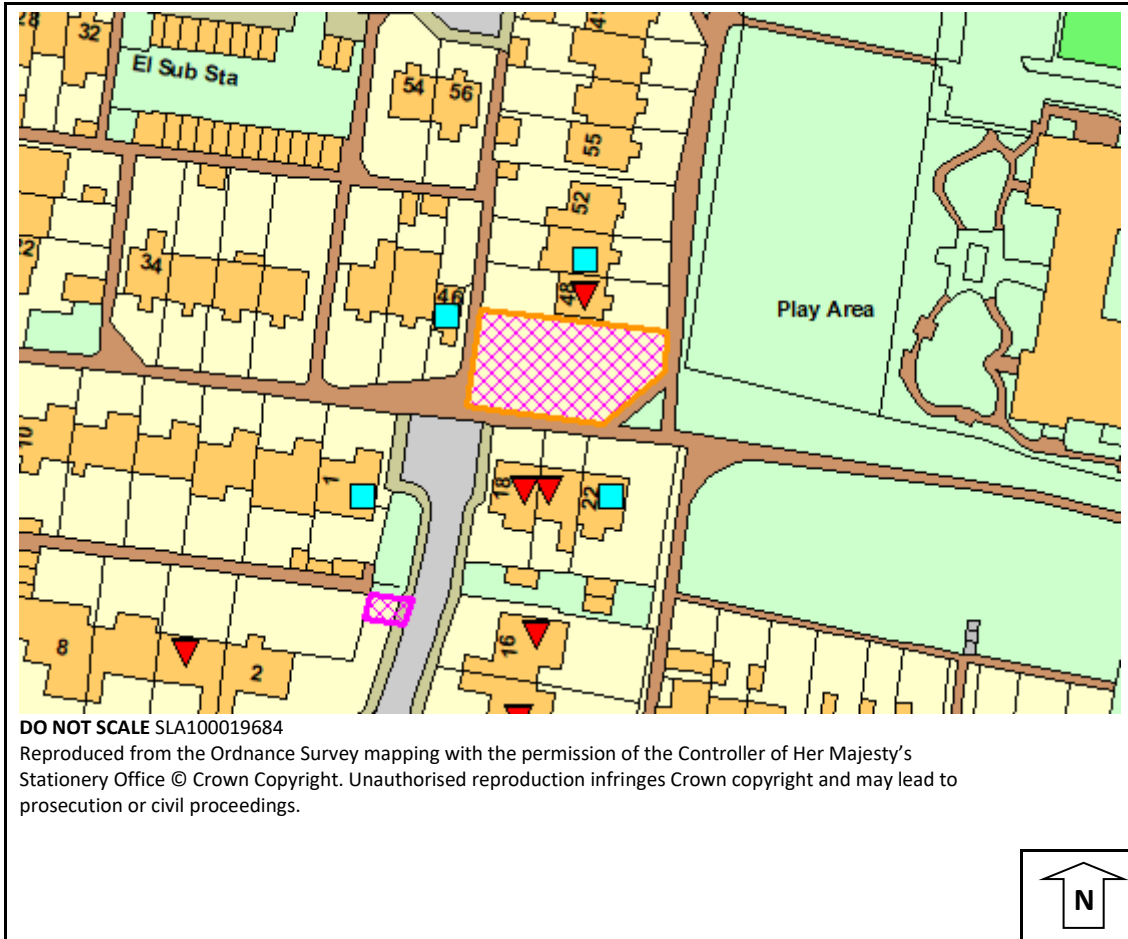
11. Background information

See application reference DC/23/0038/FUL on [Public Access](#)





Appendices

Appendix A	Appeal Decision - 9 August 2019
Appendix B	Appeal Decision – 9 February 2021

Map



Key

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