



# 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, 12 September 2023** at **2.00pm**.

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/qAmNAhvl4pw?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.


<b>Part One – Open to the Public</b>		<b>Pages</b>
<b>1</b>	<b>Apologies for Absence and Substitutions</b>	
<b>2</b>	<b>Declarations of Interest</b> 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.	
<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4</b>	<b>Minutes</b> To confirm as a correct record the minutes of the meeting held on 8 August 2023.	<b>1 - 17</b>
<b>5</b>	<b>East Suffolk Enforcement Action - Case Update ES/1645</b> Report of the Head of Planning and Coastal Management.	<b>18 - 35</b>
<b>6</b>	<b>DC/22/2520/FUL - Pakefield Caravan Park, Arbor Lane, Lowestoft, NR33 7BE ES/1646</b> Report of the Head of Planning and Coastal Management.	<b>36 - 73</b>

<b>Part One – Open to the Public</b>		<b>Pages</b>
<b>7</b>	<b>DC/22/4995/FUL - Beetlebank Farm, Darsham Road, Bramfield, Halesworth, IP19 9AG ES/1648</b> Report of the Head of Planning and Coastal Management.	<b>74 - 83</b>
<b>8</b>	<b>DC/22/4893/FUL - Shorelands, Palmers Lane, Walberswick, Southwold, IP18 6TQ ES/1649</b> Report of the Head of Planning and Coastal Management.	<b>84 - 92</b>
<b>9</b>	<b>DC/23/2151/FUL - South of Technical Centre, Whapload Road, Lowestoft ES/1650</b> Report of the Head of Planning and Coastal Management.	<b>93 - 100</b>
<b>10</b>	<b>DC/23/2373/RG3 - 4 Langley Gardens, Lowestoft, NR33 9JE ES/1651</b> Report of the Head of Planning and Coastal Management.	<b>101 - 105</b>
<b>11</b>	<b>DC/23/2526/FUL - 198 Waveney Drive, Lowestoft, NR33 0TR ES/1652</b> Report of the Head of Planning and Coastal Management.	<b>106 - 110</b>

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

**Close**



Chris Bally, Chief Executive

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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.

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**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,  
Riverside, on **Tuesday, 08 August 2023 at 2:00 PM**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

**Other Members present:**

Councillor David Beavan, Councillor Peter Byatt, Councillor Alan Green

**Officers present:**

Joe Blackmore (Principal Planner), Sarah Davis (Democratic Services Officer), Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Nick Khan (Strategic Director), Iain Robertson (Senior Planner), Alli Stone (Democratic Services Manager), Ben Woolnough (Development Management - Major Sites and Infrastructure)

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**1 Apologies for Absence and Substitutions**

There were no Apologies for Absence.

**2 Declarations of Interest**

There were no Declarations of Interest.

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

Councillors Ashdown, Pitchers, Ashton, Gee, Ewart, Wakeling, Plummer and Ewart declared they had been lobbied regarding item 6 but had not responded.

**4 Minutes**

On the proposal of Councillor Hammond, seconded by Councillor Ashdown it was

## **RESOLVED**

That the minutes of the meeting held on 11 July 2023 be agreed as a correct record and signed by the Chair.

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

The Committee received report ES/1618 of the Head of Planning and Coastal Management which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 13 July 2023. At that time there were 19 such cases.

The Chair invited the Enforcement Planner to comment on the report. The Enforcement Planner noted that in respect of case D.1 this was heard in court on the 31 July and the defendant had been ordered to pay £5,134.78. The case remained open until the land was returned to its former state. Regarding case E.1 this was largely resolved, some small areas of planting were still required.

There being no questions it was

## **RESOLVED**

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

### **6 DC/22/2520/FUL - Pakefield Caravan Park, Arbor Lane, Lowestoft, NR33 7BE**

The Committee received report **ES/1619** of the Head of Planning and Coastal Management, which related to planning application DC/22/2520/FUL.

The application sought full planning permission for the extension of Pakefield Holiday Park to provide for the following development on land to the west of the park:

1. A new and improved access and main site entrance off the A12
2. New entrance buildings and clubhouse facility
3. The siting of additional static holiday caravans, involving the rollback of existing static caravans away from the coast
4. Environmental improvements and landscaping throughout

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

The site location was outlined in relation to the current holiday park. The Senior Planner also shared aerial photographs and 3D models of the site and photographs through the site showing the existing agricultural buildings, which would be removed, and the site boundaries.

The Senior Planner shared photographs showing the current entrance to the site and the proposed entrance to the site. The proposed access arrangements including new signage were displayed. The Senior Planner explained that the new entrance and exit

would be left turn only, and displayed the proposed block plan showing access barriers on the site.

The proposed elevations, floor plans and models of the new club house were displayed. The Senior Planner stated that this had been designed to be a similar size to the existing agricultural buildings on the site. Indicative drawings of the new caravans which would be used on the site were displayed, the Senior Planner stated that a limited colour palette would be used for the new caravans. The proposed landscaping and an illustrative masterplan were also displayed.

The Senior Planner shared aerial photographs showing coastal erosion on the site since 1999 and a plan of the coastal change management area. It was estimated that twenty three pitches had been lost on the site due to coastal erosion. The extension of the site would allow for rollback of the coast in this area.

The proposed links to public footpaths in the area were shared.

The Senior Planner summarised the material planning considerations and key issues as:

- Policy and Legislative Background
- Principle of Development
- Holiday Occupation and Restrictions
- Landscape and Visual Impact
- Highways and Transport
- Economic Considerations
- Amenity Impacts
- Ecology and Biodiversity
- Coastal Change Management and Re-location of Development Affected by Coastal Erosion
- Sustainability
- Heritage Assets
- Other Matters

The recommendation to approve the application, subject to the conditions set out in the report was outlined to the Committee.

Members raised questions relating to;

- Planting and landscaping
- The rate of coastal erosion
- The proposed site entrance and options for physical barriers preventing right turns
- Mitigation measures for neighbours during construction
- Site density
- Noise from the clubhouse

Regarding planting, officers confirmed that a detailed planting plan including species had not yet been confirmed. Landscaping was generally required to be made up of native species and so it was likely planting would be more deciduous. Officers confirmed the Council's ecologist considered impact to be suitable.

Officers confirmed this part of the coast was managed by Coastal Partnership East with support from East Suffolk Council and others in the area. Officers shared photographs

of the site showing coastal erosion since 1999 to demonstrate the rate of erosion in the area.

Officers stated that the proposed entrance system had been considered by Suffolk County Council Highways Department and was considered a good option for entrance and exit from the site. Officers explained that highways did not dictate the solution and road layout, but that they ensured the solution that had been put forward was safe and sensible. As they had no objected, it was reasonable to assume that there was no issue with this proposal. The Planning Development Manager reminded the Committee that a proposal had been put forward and they were to judge this on its own merits not against any alternatives.

Regarding mitigation measures for neighbouring properties, officers confirmed there was no requirement to protect views. There was a construction management plan in place which included measures to protect against interruption from the construction of the site.

Officers confirmed a noise assessment had been completed and noise levels were considered appropriate. The clubhouse was approximately 32 metres from the rear boundary of properties on Jubilee Road. The outside area of the clubhouse was designated for dining, and the existing clubhouse on the old site would be removed.

Regarding caravan density, officers confirmed that this was set by a licence and there was a standard model setting the density of sites and so it was reasonable to assume the density would be similar to the existing site.

The Chair invited Mrs Batley, representing objectors to address the Committee.

Mrs Batley summarised the main objections of the neighbours on Jubilee Road. This area was rich in wildlife and protected species, crossed by the national coastal footpath and had the potential to be a great asset to the area as a nature reserve. Traffic on the A12 was already heavy, the area was an accident blackspot and a child had been killed here. Large caravans, transporters and holiday traffic negotiating the two roundabouts would only add to the danger and congestion, and previous applications had been refused. Noise across the site would be considerable from entertainment, holiday makers and traffic around the site, and noise from the nearby Pontins site could clearly be heard.

Mrs Batley stated that drainage and flooding was also a great concerns. Flash storm flooding caused by runoff from rooves was an issue due to the clay soil in the area which was no easily permeable. Subsidence was also a risk on this type of soil, and Mrs Batley stated that having a large amount of heavy machinery moving around the site was a great concern and neighbours needed reassurance about the stability of the site. Adding further accommodation would also stretch the areas emergency services even further.

Mr Batley stated that residents would face loss of light, security and privacy. Some properties were at a lower ground level than the site, and so the loss of light would be even worse in these properties. Security was also a concern due to recent crimes in the area, and the turnover of strangers at the site could increase crime levels.

Property values would also decrease. A clubhouse, swimming pool and caravans were planned against properties with no buffer zone between properties and the site, and Mrs Batley encouraged the Committee to view the site to understand this.

Mrs Batley stated that approving this site would create a precedent and allow for development all the way along the A12 to Kessingland, ruining an area of high landscape value which was an asset to residents and visitors.

There were no questions from members. The Chair invited Mr Jones, representing the applicant, to address the Committee.

Mr Jones stated that the planning application covered two aspects, the extension of the park and a new entrance on to the A12. Coastal erosion had resulted in the loss of twenty three pitches in the last three years and it was estimated that an additional twenty five to thirty would be lost over the next three years. This application would secure the future of the park and the employment of thirty five staff.

Mr Jones stated that the current access arrangements brought traffic through a residential area which was a regular cause on conflict with residents, particularly in busy periods when caravans were being delivered. All traffic would instead be directed to a dedicated entrance, removing traffic through a residential area.

Mr Jones stated that the additional pitches would replace the pitches that had been lost and as the applicant had improved the park following their purchase in 2019, and reduced the number of pitches on the older area of the park, the number of pitches would stay the same and within the park licence. It was anticipated that an additional eighteen people would be employed when the park was completed, and the park would contribute over £1.5million to the local area each year. A pre application and public consultation had been held and was well attended.

Mr Jones stated that the application represented a significant investment of over £10million into Pakefield by Park Holidays, and that they were committed to improving the site and facilities.

Members raised questions around

- Control of the entry and exit
- The location of the clubhouse on the site
- Terms of licences for caravan owners
- The boundary with Jubilee Way
- Coastal erosion

Regarding options for the entrance to the site, Mr Jones stated that clear signage would be put in place. Options for a hard barrier had been discussed but were not considered appropriate.

Mr Jones stated that the clubhouse was located reasonably central on the new site as it was replacing a facility that was centrally located. Different options had been considered but this location was felt to be most appropriate and no issues with the



position had been raised during public consultation. Officers added that there was an existing feature on the south of the site that was being retained and limited options.

Regarding terms and licences for caravans, Mr Jones stated that the maximum age for a caravan on the site was twenty years. Holiday makers were not allowed to live on the site permanently, and there were conditions in leases which prevented this. Mr Jones confirmed that residents owned their caravans and occupied a plot which was leased to them. For those that had lost their plot to erosion, they would be offered a plot on the new site depending on their lease.

Regarding the sites boundary with properties on Jubilee Way, Mr Jones stated that mitigation measures were felt to be sufficient. The ditch on this boundary would be cleared and reinstated. Any concerns about ownership of this boundary would be resolved separately, although the ownership of the land had been confirmed as part of the planning application.

Mr Jones stated that Park Holidays were a stakeholder with the Coastal Steering Group and were contributing to discussions about erosion in this area. At present they had not been asked to contribute to any defences but they were working with the group for solutions. Mr Jones also confirmed there was access to the beach from the site.

The Chair invited Councillor Byatt to address the Committee as ward member.

Councillor Byatt stated that he lived near the caravan park. He was pleased to see the thoroughness with which the Committee were considering this application. Councillor Byatt stated that he welcomed the new entrance to the site and asked if this would be installed first so the rest of the construction traffic could use it to access the new part of the site. The removal of large vehicles and holiday traffic from a residential area was welcome, as was the investment in the site, the improvement in infrastructure, and the increase in jobs which would come with the expansion of the site. Councillor Byatt in particular noted the provision of air source heat pumps and asked if these would replace the use of bottled gas on the site.

Councillor Byatt noted that there had been twenty four expressions of support for the site, and sixty objectors. It was difficult as ward Councillor to balance these opinions within one community.

Councillor Byatt summarised his objections to the site, namely the closeness of the new caravan plots to existing residents, and Councillor Byatt demonstrated the closeness of the plots to the boundary. Although screening planting was planned this would take time to mature and for privacy to be restored. Properties on Jubilee Road, which was closest to the site, were south facing and it was reasonable to assume that there would be a loss of light. Multiple new sources of noise would also be introduced to the area, and again it would take time for planting to mature to dampen this sound.

Councillor Byatt stated that the greatest visual impact would be felt by residents on Jubilee Road. The build phase would take place in the closed winter season, however Councillor Byatt noted that there was no defined closed season for the site. The site also had a different ground level to properties on Jubilee Road and the topography varied across the site, meaning some caravans would look over and into

the gardens of neighbours and little consideration had been given to fencing to provide further privacy. Councillor Byatt noted that the exact location of caravans was not dictated by planning and stated that the caravans could be moved around to provide more privacy.

Councillor Byatt summarised that this was a large application that would benefit some residents and not others, and asked that the Committee view the site in person to ensure they fully understood the impact it would have. Councillor Byatt stated he believed there was more that could be done to mitigate the impact of the development for neighbouring properties regarding noise and loss of privacy.

Members raised questions regarding traffic management on the site. Councillor Byatt stated that he would like to see a physical barrier to prevent right hand turns rather than just signage. However removing traffic from the residential parts of Pakefield would be incredibly beneficial, and that there was no merit to keeping the existing entrance even for limited access. Movement around the site certainly needed to be looked at, as did the entrance, but his main concern was mitigation for noise and loss of privacy.

Councillor Ashdown stated that having heard the presentation and representation from residents, it was clear that the new access seemed sensible but there were still concerns regarding mitigation measures. Councillor Ashdown proposed that a site visit take place and the application be deferred.

This proposal was seconded by Councillor Pitchers.

Councillor Ashton stated he agreed with comments from Councillor Byatt. Jobs and the protection of the site from coastal erosion in the shorter term was welcome, as was the moving of the access road which would improve the movement of traffic through a residential area. Councillor Ashton stated he was concerned about the mitigation against noise and he did not feel this was currently sufficient to approve the application.

Councillor Ewart commented that she would like the site owners to consider moving the clubhouse to and that she would welcome being able to visit the site to understand concerns. Officers stated that moving the clubhouse could be considered as a comment for the applicant and it would be up to them to consider this.

Councillor Pitchers asked if Suffolk County Council Highways could engage with the applicant on a physical barrier to the site. Officers confirmed this was not up to highways to enforce, but that it could be passed on as a comment. Suffolk Highways were the experts in this area and might have considered a barrier detrimental to road safety in other respects.

Councillor Hammond commented that he would like to see a bigger buffer strip between the site and Jubilee Road and he encouraged the applicant to consider this.

Clerks note: the meeting was adjourned at 15.37pm to allow members of the public to leave the meeting.

Following the adjournment the Planning Development Manager summarised the process for a site visit and stated that members of the public would be allowed to observe this but not engage. Committee members would use this as an opportunity to understand the facts of the site and no discussion or deliberation would take place.

The Democratic Services Officer confirmed the process for registering to speak at a Planning Committee Meeting and stated that three minutes was allocated for objectors, town councillors and applicants regardless of how many people had registered to speak in these roles to ensure a fair hearing.

By a unanimous vote it was

### **RESOLVED**

That the application be **DEFERRED** to enable the Committee to visit the application site.

Officers advised that a site visit would be arranged and that details would be circulated to members of the Committee in due course.

## **7 DC/23/0701/FUL - Holly House, 80 Pier Avenue, Southwold, IP18 6BL**

Clerks note: the meeting was adjourned from 3.45 to 3.55pm

The Committee considered report ES/1620 of Head of Planning and Coastal Management, which related to planning application DC/23/0701/FUL.

The application sought full planning permission for the demolition of the existing single storey side and rear extensions and the erection of new single storey side and rear extensions, and a new dormer window to the attic storey on the north elevation. The proposal also involved the provision of a raised veranda to rear of the lounge and dining room. The proposal had been amended since the original submission following officer feedback. The referral panel had referred the application to the Committee as the Officer recommendation to approve was contrary to the objection received from Southwold Town Council.

The Committee received a presentation from the Principal Planner. The Committee viewed the proposed site and block plan, contemporary photographs showing the current single story side and rear extensions, the property and its surrounds. Existing and proposed elevations and floorplans were shared along with plans showing the current elevations compared to the proposed elevations.

The material planning considerations and key issues were summarised as:

- Design
- Residential Amenity

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

Members raised questions relating to:

- the age of the structures that would be demolished
- views from the new rear dormer window and options for screening

The Principal Planner stated that the existing structures that would be demolished were likely part of the original building, and that the concerns from Southwold Town Council did relate to these structures being part of the fabric of the building. Regarding the rear dormer and views to neighbouring properties officers stated that any conditions relating to obscured glass or protection/retention of existing screening plants would not be considered reasonable as the window was thirty five metres from the building it overlooked - which was over the twenty one metres minimum distance in planning guidance. Officers stated it was within the Committee's gift to add conditions, but they had to be satisfied they were reasonable and met all the tests.

The Chair invited Mrs Thompson Hart to speak in objection to the proposal. Mrs Thompson Hart stated she was speaking on behalf of her parents whose home neighboured the application site to the rear. They strongly objected to the proposed dormer window and veranda which would overlook their property and encroach on their privacy.

Mrs Thompson Hart stated that although their property had a reasonable size garden to the rear, any activity in outside areas would now be overlooked. Regarding the dormer window there would be no particular view from this apart from of neighbours, and so a Velux window would be more appropriate and still provide natural light. All the neighbours at the rear of the property, who lived in the area permanently, had objected because they felt they would be overlooked and lose their privacy. Those who had not objected lived at the front of the property and would not be impacted by any development at the rear. This issue was made worse as trees in the applicants garden which provided screening had been removed.

Mrs Thompson Hart also stated that her parents had only been informed of the Planning Committee meeting by Southwold Town Council and otherwise their objections would not have been heard.

There were no questions to Mrs Thompson Hart. The Chair invited Councillor Goldsmith to address the Committee on behalf of Southwold Town Council.

Councillor Goldsmith stated that this was outside of the conservation area as it currently existed but that there was now a consultation to include it in the area. The houses in this area had been built in the Arts and Crafts style and the single storey extension was an essential part of the style of the property.

Councillor Goldsmith stated that in relation to privacy concerns, an outdoor fitness studio had been constructed in the back garden which already interrupted the privacy of the neighbours. The applicants statement that the trees to the rear of the property would provide screening was incorrect as these trees were deciduous and so did not provide screening for a large part of the year. The applicants could see into the houses of neighbours and so it was logical to assume that the building of a veranda this would be exacerbated.

Councillor Goldsmith stated that Southwold Town Council stood by their objections under policy SWD6 of the Southwold Neighbourhood Plan.

Following a question from the committee Councillor Goldsmith confirmed that the Southwold Neighbourhood Plan was called upon frequently, and that many properties in the area had similar structures and gardens.

The Chair invited Mr Vaughan, representing the applicant, to address the committee. Mr Vaughan stated he wished to respond to some of the issues raised by previous speakers. Regarding the fitness studio this had been granted permission previously, and was not included on the plans as it was a temporary structure that had been built after this application had been submitted.

Mr Vaughan noted there was an existing terrace at the rear of the property which would be replaced in the proposed design. It was common for modern extensions such as this to work so that people could move directly from their homes to a terrace without going down stairs, and as the rear of the house was raised so was the terrace. Southwold Town Council referred to the side extension as a modern structure, and plans had been amended following comments from the conservation officer so that this extension was more fitting with the Arts and Crafts design of the building.

The Committee asked questions regarding the style and materials of the veranda and the decision to construct a dormer window.

Mr Vaughan stated that the veranda would be constructed from glass, the option for obscured glass would only obscure views of the property's own garden. It had been designed to look modern to fit in with other modern extensions to the rear of the house and in contrast with the Arts and Crafts style at the front.

Regarding the window, Mr Vaughan stated that a similar property on the same road had a dormer window which had been granted planning permission without any objections. The first floor windows had the same view and overlooked other properties, as this was a built up area all properties were overlooked in some way.

The Chair invited Councillor Beavan to speak as the ward member.

Councillor Beavan stated that the height of the platform at the rear of the property was 1.2 metres and the fact that this was being extended further into the garden meant neighbours would be overlooked. This was quite an important historic building for the town and therefore the application was of interest to the town council.

Although the amended plan was welcome, Councillor Beavan stated the main concern was the overdevelopment of the garden which was still an issue. This was an issue across the area and houses were no longer residential in nature but being planned to fit as many people as possible. Councillor Beavan stated he would like to see this limited and towns preserved for residents.

Responding to a question, Councillor Beavan stated that the application should be rejected and the applicants asked to adjust their plans following discussion with neighbours.

Councillor Gee stated that this was an unsympathetic construction on an important building. The construction would increase the bulk of the building from the original, and buildings should be protected in their original form as much as possible. It was clear that it was planned that this should be part of the conservation area, and if this was already in place this would not be appropriate development.

Councillor Ewart stated that contemporary work on older buildings could be appropriate, but that in this case the whole area had a certain look and this work would disrupt this.

Councillor Ashdown stated that the change in design would change the look of the building but not necessarily make the building overpowering. It was noted that the building sloped down at the rear which was the reason for the height of the veranda.

Officers stated that non-designated heritage assets were identified, and this property had not been identified as such and was not within a conservation area although it was in an arts and crafts style of some historic value. The Principal Planner shared comments from the Conservation Officer stating that the use of modern materials was considered appropriate in this situation as it created a contemporary contrast to the front of the building as the whole of the rear was modern. The front elevation and height of the roof ensured that the extension remained subservient to the main building.

Councillor Hammond stated he had sympathy with trying to unify the modern rear extensions to make them practical for living. However he recognised the comments from neighbours on the prospect of being overlooked.

Councillor Ashton noted the same dormer window on the rear of another house, and therefore saw no reason to object. In terms of the revised design to the side and rear, the Conservation Officer was content and this had to be taken into account. Building and extending houses did have an impact but he saw no reason not to approve this application.

Officers shared plans of the neighbouring house with a similar dormer window which had been referred to by Councillor Ashton.

Councillor Ewart asked officers to confirm what options there were should this be refused. Officers confirmed that the committee had received a scheme and were asked to determine it based on this scheme, rather than an idea of an alternative design. When members came to a different view to officers they had to ensure they had a sound reason based on policy for this.

Councillor Plummer asked if it was reasonable for a condition be put in to protect the trees to prevent views being further opened up. Officers stated that planning conditions should not be used to retain existing planting, but conditions on planting

could be considered. If the area did end up falling in a conservation area then the council would need to be notified of any work to trees.

On the proposal of Councillor Ashdown, seconded by Councillor Wakeling it was by a majority vote

**RESOLVED**

Approve.

Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/drawings: Site Plan, Block Plan received 22 February 2023 and drawing nos. 013, 014, 015 and 016 received 23/5/2023.

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 approved plans unless otherwise approved in writing by the Local Planning Authority.

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

**8 DC/22/3700/FUL - The Old School, Toad Row, Henstead, Beccles, NR34 7LG**

The Committee considered report **ES/1621** of Head of Planning and Coastal Management, which related to planning application DC/22/3700/FUL.

The application sought full planning permission for the construction of a new dwelling adjacent to Old School House, accessed from Toad Row, Henstead. The proposal had been amended during the application process from the original proposal which proposed access from Benacre Road; the proposed dwelling had also been reduced in scale.

The application had been referred to the committee as the applicant is a member of East Suffolk Council Staff.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site location was outlined, an aerial photograph was displayed along with photographs showing views through the property. The original and revised site plans and elevations were shown. The application was recommended for approval of planning permission.

The material planning considerations and key issues were summarised as:

- Principle of Development

- Highway safety
- Design/Character and appearance of the area
- Neighbour Amenity

The committee asked officers to confirm whether there had been any objections to the application. The Senior Planner confirmed there had been two objections relating to the previous entry onto Benacre Road. This had now been moved to Toad Row but objections had still been raised about conflict with the entrance to the village school on the same road. It was felt that this entrance onto Toad Row was the safer option.

Councillor Ashton stated that he supported the amended application and proposed that it be approved. Councillor Ashdown seconded the proposal.

By a unanimous vote it was

**RESOLVED**

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 Drawing Nos. AB100a, AB103d; Received 14 March 2023 and Drawing No. AB102g; Received 30 March 2023 and AB101s; Received 19 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. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences on the dwelling. 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 visibility splays shall be provided as shown on Drawing No. AB101r with an X dimension of 2 metres and a Y dimension of 21 metres in the West direction and 32 metres in the East direction to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.



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

5. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM01 with an entrance width of 4.5 metres for a shared access. Thereafter it shall be retained in its approved form.

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

6. The use shall not commence until the infrastructure within the site shown on Drawing No. AB101s for the purposes of preventing surface water falling onto the highway and it being discharged appropriately within the site has been provided and thereafter the infrastructure shall be retained, maintained, and used for no other purposes.

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

7. The use shall not commence until the area(s) within the site shown on Drawing No. AB101s for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

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

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 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.

10. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

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

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

Reason: To ensure that nesting birds are protected.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

13. 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) (delete as appropriate), and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

14 Prior to first occupation the bathroom window on the eastern elevation at first floor level 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.

Informatives:

1. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

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

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

or;

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

Suffolk County Council drawings DM01 - DM14 are available from:

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

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

2. 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.

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

The meeting concluded at 5.07pm.

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Chair



## Planning Committee North

**Title of Report:**

East Suffolk Enforcement Action – Case Update

**Meeting Date**

12 September 2023

**Report Author and Tel No**

Mia Glass  
01502 523081

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 23 August 2023. At present there are 19 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. *5 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *8 current cases*

C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *No current cases*

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 case*

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 23 August 2023 be noted.

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

#### A.1

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

## A.2

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

## A.3

<b>LPA Enforcement Case Reference</b>	ENF/22/0133/USE
<b>Location / Address</b>	Patience Acre, Chenerys Loke, Weston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22.04.2022
<b><u>Nature of Breach:</u></b> Residential occupation of holiday let	
<b><u>Summary timeline of actions on case</u></b> <b>28/03/2023</b> –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. <b>05/07/2023</b> - appeal against refusal of planning application refused.	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	27/04/2024

## A.4

<b>LPA Enforcement Case Reference</b>	ENF/21/0460/DEV
<b>Location / Address</b>	21 Mill View Close, Woodbridge

<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	13.10.2021
<b>Nature of Breach:</b> Erection of large fence	
<b>Summary timeline of actions on case</b> 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023	
<b>Current Status/Position</b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	06/11/2023

A.5

<b>LPA Enforcement Case Reference</b>	ENF/21/0006/DEV
<b>Location / Address</b>	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	06.01.2021
<b>Nature of Breach:</b> Erection of large fence	
<b>Summary timeline of actions on case</b> 08/08/2023 –Enforcement Notice served. Comes into effect on the 08/09/2023	
<b>Current Status/Position</b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	08/11/2023



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

B.1

<b>LPA Enforcement Case Reference</b>	ENF/2019/0307/COND
<b>Location / Address</b>	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	16.07.2019
<b>Nature of Breach:</b> Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
<b>Summary timeline of actions on case</b> <b>21/10/2021</b> – 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. <b>07/12/2021</b> - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645 <b>21/01/2022</b> - Statements submitted to Planning Inspectorate by 21/01/2022. <b>01/02/2022</b> - final comments date for comments on Appeal <b>28/06/2023</b> – Site visit for appeal 3 <sup>rd</sup> August 2023	
<b>Current Status/Position</b> Awaiting Planning Inspectorate Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.2

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

<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Appeal Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependant upon date and outcome of Appeal Decision

B.3

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

B.4

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

Awaiting Planning Inspectorate Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.5

<b>LPA Enforcement Case Reference</b>	ENF/21/0121/USE
<b>Location / Address</b>	The Pastures, The Street, North Cove
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.03.2021
<b>Nature of Breach:</b> 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.	
<b>Summary timeline of actions on case</b>	
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 <sup>th</sup> February 2023. PINS Reference APP/X3540/C/22/3312353	
<b>Current Status/Position</b>	
Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.6

<b>LPA Enforcement Case Reference</b>	ENF/21/0201/DEV
<b>Location / Address</b>	39 Foxglove End, Leiston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	26.04.2021
<b>Nature of Breach:</b> Artificial hedge, support structure and fencing which is over 2m in height	
<b>Summary timeline of actions on case</b>	
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	
<b>Current Status/Position</b>	
Awaiting start date from Planning Inspectorate.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.7

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

B.8

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

There are currently no cases at this stage.

**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**

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

**D.2**

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

<b>Date by which Compliance expected (or prosecution date)</b>	Depending on legal process.
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**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**

<b>LPA Enforcement Case Reference</b>	ENF/2018/0543/DEV
<b>Location / Address</b>	Land at North Denes Caravan Park, The Ravine, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	21.12.2018
<b>Nature of Breach:</b> 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.	
<b>Summary timeline of actions on case</b>	
<p><b>02/05/2019</b> - Temporary Stop Notice Served and ceased 30/05/2019  <b>24/05/2019</b> - Enforcement Notice served, came into effect on 28/06/2019  <b>25/05/2019</b> - Stop Notice Served comes into effect 28/05/2019.  <b>08/06/2020</b> – Appeal process started. Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020  <b>02/02/2021</b> – Appeal Hearing date. Hearing adjourned until 09/03/2021. Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021.  <b>18/05/2021</b> - Appeal dismissed and partial costs to the Council  <b>18/08/2021</b> - Compliance with Notice required  <b>31/10/2021</b> - Extension of time granted for compliance until 31/10/21.  <b>15/11/2021</b> - Further extension of time granted for compliance until 15/11/2021.  <b>18/11/2021</b> - Site visited, no works undertaken, case to be referred to legal department for further action to be considered.  <b>20/12/2021</b> - Certificate of Lawful Use (Proposed) application submitted (reference DC/21/5671/CLP)  <b>12/04/2022</b> - Certificate of Lawful Use (proposed) refused.  <b>25/05/2022</b> - Appeal in relation to Certificate of Lawful Use (proposed) refusal started. Hearing process. PINS Reference APP/X3540/X/22/3299754  <b>08/07/2022</b> – Appeal statement submitted  <b>29/07/2022</b> – Final date for comments on statements  <b>11/01/2023</b> – Council applied to the High Court for an Injunction.  <b>30/01/2023</b> – Case adjourned for legal reasons, awaiting new court date  <b>03/02/2023</b> – High Court date for an Injunction hearing 18<sup>th</sup> &amp; 19<sup>th</sup> May 2023  <b>22/02/2023</b> – Hearing on appeal for refused certificate of lawful development set for 12<sup>th</sup> July 2023.</p>	

**18/05/2023** – Injunction sought from High Court in relation to non-compliance with EN, Injunction granted – 90 days to undertake the works.

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

**Current Status/Position**

Notice complied with

<b>Date by which Compliance expected (or prosecution date)</b>	Before 18 <sup>th</sup> August 2023
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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

<b>LPA Enforcement Case Reference</b>	EN08/0264 & ENF/2013/0191
<b>Location / Address</b>	Pine Lodge Caravan Park, Hazels Lane, Hinton
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.10.2008
<b>Nature of Breach:</b>	
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><b>15/10/2010</b> – Enforcement Notice served</p> <p><b>08/02/2010</b> - Appeal received</p> <p><b>10/11/2010</b> - Appeal dismissed</p> <p><b>25/06/2013</b> - Three Planning applications received</p> <p><b>06/11/2013</b> – The three applications refused at Planning Committee.</p> <p><b>13/12/2013</b> - Appeal Lodged</p> <p><b>21/03/2014</b> – Enforcement Notices served and became effective on 24/04/2014</p> <p><b>04/07/2014</b> - Appeal Start date - Appeal to be dealt with by Hearing</p> <p><b>31/01/2015</b> – New planning appeal received for refusal of Application DC/13/3708</p> <p><b>03/02/2015</b> – 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><b>10/11/2015</b> – Informal hearing held</p> <p><b>01/03/2016</b> – Planning Appeal dismissed</p> <p><b>04/08/2016</b> – Site re-visited three of four Notices have not been complied with.</p> <p><b>21/04/2017</b> - 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><b>19/06/2017</b> – Site re-visited, no compliance with the Enforcement Notice.</p> <p><b>14/11/2017</b> – Full Injunction granted for the removal of the mobile home and steps.</p> <p><b>21/11/2017</b> – 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><b>27/06/2018</b> – Compliance visit conducted to check on whether the 2010.</p> <p><b>06/07/2018</b> – Legal advice sought.</p> <p><b>10/09/2018</b> – Site revisited to check for compliance with Notices.</p> <p><b>11/09/2018</b> – Case referred back to Legal Department for further action to be considered.</p>	

<p><b>11/10/2018</b> – 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><b>01/11/2018</b> – 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><b>13/12/2018</b> – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p><b>04/02/2019</b> – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p><b>26/02/2019</b> – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p><b>27/03/2019</b> - High Court hearing, the case was adjourned until the 03/04/2019</p> <p><b>03/04/2019</b> - 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><b>11/04/2019</b> – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p><b>07/05/2019</b> – 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><b>05/09/2019</b> – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p><b>28/11/2019</b> - 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><b><u>Current Status/Position</u></b>  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><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>Dependent upon potential Legal Process</p>

F.2

<b>LPA Enforcement Case Reference</b>	ENF/2017/0170/USE
<b>Location / Address</b>	Land Adj to Oak Spring, The Street, Darsham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	11.05.2017
<p><b><u>Nature of Breach:</u></b>  Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><b><u>Summary timeline of actions on case</u></b>  <b>16/11/2017</b> – Authorisation given to serve Enforcement Notice.  <b>22/02/2018</b> – 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><b>17/10/2019</b> – 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><b>13/11/2019</b> – 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><b>16/06/2020</b> – Submission of Appeal Statement</p> <p><b>11/08/2020</b> - Appeal dismissed with some amendments.</p> <p><b>11/12/2020</b> - 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><b>25/03/2021</b> - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p><b>2022</b> - Application for an Injunction has been made to the High Court.</p> <p><b>06/10/2022</b> - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p><b>08/03/2023</b> - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p><b>30/03/2023</b> - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p><b>10/07/2023</b> -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24<sup>th</sup> July.</p> <p><b>25/07/2023</b>-Site Visit conducted; injunction not complied with. Information sent to legal team.</p>	
<p><b><u>Current Status/Position</u></b> With Legal Team</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>24<sup>th</sup> July 2023</p>

F.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0441/SEC215
<b>Location / Address</b>	28 Brick Kiln Avenue, Beccles
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	29.09.2021
<b><u>Nature of Breach:</u></b> Untidy site	
<b><u>Summary timeline of actions on case</u></b>	
<p><b>07/02/2022</b> - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p><b>17/06/2022</b> - 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 24<sup>th</sup> 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

<b>Date by which Compliance expected (or prosecution date)</b>	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

<b>LPA Enforcement Case Reference</b>	ENF/2015/0279/DEV
<b>Location / Address</b>	Land at Dam Lane Kessingland
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22/09/2015
<p><b><u>Nature of Breach:</u></b> 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><b><u>Summary timeline of actions on case</u></b>  <b>22/09/2015</b> - Initial complaint logged by parish.  <b>08/12/2016</b> - Case was reopened following further information  <b>01/03/2017</b> - 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.  <b>05/09/2018</b> - Notice served by recorded delivery.  <b>18/06/2019</b> - Appeal started. PINS Reference APP/T3535/C/18/3211982  <b>24/07/2019</b> – Appeal Statement Submitted  <b>05/02/2020</b> - Appeal dismissed. Compliance with both Notices by 05/08/2020  <b>03/03/2021</b> - 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.  <b>30/04/2021</b> - 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.  <b>04/05/2021</b> - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.  <b>05/07/2021</b> – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs  <b>12/07/2021</b> – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed  <b>13/08/2021</b> - Site visited and all structures had removed from the site, but lake remains</p>	
<p><b><u>Current Status/Position</u></b> 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>	

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

**Planning Committee North – 12 September 2023**

**Application no DC/22/2520/FUL**

**Location**

Pakefield Caravan Park  
Arbor Lane  
Lowestoft  
Suffolk  
NR33 7BE

**Expiry date** 22 September 2022

**Application type** Full Application

**Applicant** Park Holidays UK Ltd

**Parish** Lowestoft

**Proposal** Extension of Pakefield Holiday Park to provide for the following development on land to the west of the park:

1. A new and improved access and main site entrance off the A12
2. New entrance buildings and clubhouse facility
3. The siting of additional static holiday caravans, involving the rollback of existing static caravans away from the coast
4. Environmental improvements and landscaping throughout

**Case Officer** Matthew Gee  
07901 517856  
[matthew.gee@eastsoffolk.gov.uk](mailto:matthew.gee@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1. Planning permission is sought for an extension to the Pakefield Caravan Park, to include a new access onto the A12, a new entrance and clubhouse building, the siting of 86 units on the site, and environmental improvements and landscaping.
- 1.2. This report remains broadly the same as that reported to members at the committee meeting on the 11 August where the application was deferred by members of committee for a site visit. The main changes to the report are to reflect the response received from Natural England in respect of the Habitat Regulation Assessment (HRA) and Coastal Adaptation Supplementary Planning Document
- 1.3. The proposed new access from the A12 is deemed safe by officers in consultation with Suffolk County Council Highways Authority, and it would also provide a benefit by removing a significant number of vehicle movements from the existing site entrance. Furthermore, the proposed development is not considered to result in any significant adverse impacts upon the character and appearance of the countryside. The development would not result in the coalescence of Kessingland and Lowestoft.
- 1.4. An acoustic report has been submitted which identifies that the impact from noise on nearby receptors would be to an acceptable level, and the development would not result in long term amenity impacts upon the living conditions of neighbouring residents.
- 1.5. The impact on protected species can be appropriately mitigated, and the proposal would provide environmental benefits along the southern boundary, with additional planting around the site. The proposed development would also provide electric vehicle charging points, cycle storage, and solar panels on the clubhouse.
- 1.6. A Habitat Regulation Assessment (HRA) has been undertaken, and reviewed by Natural England, who have raised no objections to the proposed impact subject to securing the necessary RAMS contribution and walking route.
- 1.7. There would be an economic benefit arising to the local area due to increased spending from users of the additional accommodation and improved facilities, as well as securing the long term future of Pakefield Caravan Park and its ability to adapt to the challenges of coastal erosion.
- 1.8. The application is therefore deemed to accord with the Waveney Local Plan and the NPPF, and as such the application is recommended for approval.
- 1.9. Authority is sought to Approve, subject to conditions; and subject to officers undertaking an Appropriate Assessment, and concluding that the scheme will not have likely significant effects on European (Habitats) Sites, following the consideration of any comments received from Natural England.

## **2. Site Description**

- 2.1. Pakefield Holiday Park ("The Park") is an established static holiday caravan park located to the southeast of Pakefield, and occupies a coastal location with direct access to the beach over an area of approximately 8.6 hectares (21.3 acres).



- 2.2. The park has planning permission for a total of 391 static holiday caravans and is effectively split either side of Arbor Lane, with each side of the park operating by virtue of separate planning permissions.
- 2.3. The northern element of the site (previously known as “The Bushes Site”), accommodates 119 static caravans and has recently been granted 12 month holiday season on appeal in 2022.
- 2.4. The southern element (formerly known as “Cresta” and “Clifftop” sites) accommodates 231 caravans, and benefits from an unrestricted static holiday caravan permission with no defined holiday season under reference W8089/12. A small section of this area to the west has recently been granted the exchange of touring to static caravan pitches.
- 2.5. The application site, edged red on the submitted Location Plan, covers an area of approximately 4.2 hectares (10.4 acres). The established use of the land is agricultural; however, the site is not currently in active farming use. The extension land is low lying and is bordered to the north by existing residential development along Jubilee Road, to the east by Pakefield Caravan Park and to the south by agricultural/open land. The western boundary of this land has a direct vehicular access point onto the A12.
- 2.6. The western section of the application site contains several agricultural buildings, associated infrastructure and hardstanding areas with the eastern section being agricultural land with a pond/tree planting on the south-eastern section.

### **3. Proposal**

- 3.1. Planning permission is sought for an extension of Pakefield Holiday Park onto land to the southwest of the existing site, currently in use as agricultural land. The expansion will accommodate the following:
  - i. A new and improved access/main site entrance off the A12, and restrictions to existing access off Arbor Lane;
  - ii. New central facilities complex, including
    - a) Bar and restaurant
    - b) Swimming pool
    - c) Changing facilities
    - d) Kitchen facilities
    - e) Reception
    - f) Office space (including sales office)
    - g) Plant rooms
    - h) Outside seating and terrace
    - i) Bathroom facilities
    - j) Three accessible parking bays and 24 standard bays
    - k) Service area and loading bay
  - iii. The siting of 86 static holiday caravans which will include a mixture of single, twin, and larger twin units.
  - iv. Environmental improvements, landscaping, and attention ponds
  - v. Vehicle and pedestrian access to existing site

- 3.2. During the course of the application, additional reports and amended drawings have been received. The amendment drawings have resulted in minor changes to the site entrance to overcome initial concerns raised by the Highways Authority. These amended plans have been subject of further public consultation.

#### **4. Consultations**

##### Third Party Representations

- 4.1. Twenty-four Representations of support have been received, raising the following key points:
- Economic benefits
  - Decreased traffic in local road due to new access and improved safety
  - Improvement to amenity
  - Proposed land not currently in use
- 4.2. Three Representations have been received that neither support nor object, but raise the following key points:
- No impact from additional facilities
  - Relocation of signage to ensure new entrance is used
  - Decreased traffic on minor local roads
  - Access should be provided for local residents to facilities
  - Existing strip of public grass on cliff be kept public
  - Density and arrangement need to be considered
  - Landscaping
- 4.3. Sixty Representations of objection have been received, raising the following key points:
- Land should be retained for agriculture
  - Existing development forms the edge of Pakefield and this development would expand into the countryside
  - Impact of new access on safety along the A12
  - Impact on existing amenity from increased noise levels
  - Impact on biodiversity
  - Impact on amenity from increased activity
  - Better alternative uses for the site
  - Impact on local services and infrastructure from increased visitors
  - Fire hazard
  - Light pollution
  - Previous refusals on the site
  - Impact of development on the ditch along the north boundary
  - Impact from construction noise and activity
  - Boundary concerns
  - Increased number using inadequate existing access arrangements
  - Increased air pollution and impact on health
  - Overlooking and privacy concerns
  - Impact on character and appearance of the area
  - Loss of view
  - Security and anti-social behaviour
  - Poor design

- Security concerns due to lack of boundary treatment along north boundary
- Impact on light
- Increased risk of flooding
- Increased traffic
- Removal of green space
- Overdevelopment
- Development on Green Belt

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	20 July 2022	3 August 2022
<p>Summary of comments:            Lowestoft Town Council has considered this application and agreed to recommend refusal of the application as presented. The application represents a large scale over development of an area which will impact the local amenity both in terms of noise and intrusion of privacy as well as disturbing and harming habitats/wildlife. The new access road will be straight from the A12/A47 and it is essential that comments are sought from Suffolk Highways and National Highways.</p>		

Consultee	Date consulted	Date reply received
Gisleham Parish Council	21 July 2022	31 July 2022
<p>Summary of comments:            Councillors considered this Application at their meeting on 27th July.            They were concerned that this site is an inappropriate location for a holiday park, being very closely adjacent to residential properties, particularly in Jubilee Road.            There was also concern about the apparent lack of a landscaped / buffer zone along this boundary which could adversely affect those properties, particularly potential noise from the clubhouse and adjoining facility buildings.            Councillors were also concerned about the new access to the A12, the section of which is currently the subject of local concern. Questions were raised about the size, location and visibility splays of the new entrance, whether the width is sufficient to allow for larger vehicles, particularly those delivering or removing static caravans and what provision will be available, on site, to allow vehicles to pull off the main road and avoid congestion on the A12. Will there be any restrictions to avoid crossing the A12 to either enter, or leave, the site?</p> <p>Given these concerns, Councillors recommend this Application be REFUSED</p>		

## Re-consultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 November 2022	23 December 2022
<p>Summary of comments: Holding objection until the information has been submitted:</p> <ul style="list-style-type: none"><li>- Access details for queuing traffic</li><li>- Access crossover, crossing the cycle path.</li></ul> <p>(officer note: holding objection removed by comments received 20 February 2023; see response below).</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 February 2023	1 March 2023
<p>Summary of comments: Following the submission of further information, no objections raised.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	17 February 2023	20 February 2023
<p>Summary of comments: No objections subject to conditions</p> <p>“With the revised technical note and plans, my concerns have been addressed.”</p>		

## Consultation Comments

Consultee	Date consulted	Date reply received
SCC Highways Department	20 July 2022	23 September 2022
<p>Summary of comments: Recommend a holding objection until the following information has been submitted:</p> <ul style="list-style-type: none"><li>- More detail on Access from A12 or all user types.</li><li>- Lack of sustainable links to wider network.</li><li>- More detail on existing access and it's downgrading and use as cycle route/emergency access and impacts on highway maintained land.</li><li>- Surface water drainage at highway boundary</li></ul>		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	20 July 2022	11 August 2022
Summary of comments: Holding objection raised as several issues need addressing including; further information to clarify the function of the exiting watercourses on site. Confirmation on use of ponds and site drainage.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	22 August 2022	25 August 2022
Summary of comments: No objections, the application is supported by a geophysical survey and a thorough and comprehensive Historic Environment Desk-Based Assessment which concludes that the site has potential for remains, particularly of the prehistoric and Romano-British periods, and the standing buildings on the site in the farmstead (County Historic Environment Record LWT 407) was also identified as potentially being worthy of further recording. Therefore, full suite of archaeological conditions is required.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	22 August 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	21 July 2022	9 August 2022
Summary of comments: No objections, comments incorporated into officer considerations.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	20 July 2022	28 July 2022

Summary of comments:

Contaminated Land concerns raised as the submitted Phase 1 report has been prepared on the basis of a different form of development, the report will need to be revised to assess the site against the actual proposed development. Further information in respect of the site investigation is also required.

In regards to noise and odour the proposed introduction of the club house will introduce multiple, potentially significant noise sources in very close proximity to existing dwellings on Jubilee Road. A competent acoustic assessment is therefore required which should assess the proposed development in detail, identify any potentially significant sources of noise and assess the impacts that noise from these sources may have on current dwellings. In addition, an odour assessment is required for the kitchen.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	20 July 2022	24 August 2022

Summary of comments:

No objections, comments incorporated into officer considerations

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	20 July 2022	10 August 2022

Summary of comments:

No objections, comments incorporated into officer considerations.

Consultee	Date consulted	Date reply received
Disability Forum	20 July 2022	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
SCC Emergency Planning	20 July 2022	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SUSTRANS	20 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	22 August 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Anglian Water	22 August 2022	23 August 2022
Summary of comments: No comment		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	N/A	22 August 2022
Summary of comments: Holding objection to this application as no Great Crested Newt survey report has been submitted with this application, therefore there is insufficient ecological information to determine this application.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	16 November 2022	5 December 2022
Summary of comments: Holding objection as further information and clarification required.		

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	16 November 2022	13 January 2023
<p>Summary of comments:            Confirm that the proposed alterations to the site will require an amendment to the Caravan Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960.</p> <p>Revised conditions would be attached to the licence in respect of:</p> <ul style="list-style-type: none"> <li>- Site boundaries</li> <li>- Density and spacing</li> <li>- Roads and footpaths</li> <li>- Hard-standings</li> <li>- LPG storage</li> <li>- Electrical installation</li> <li>- Water supply</li> <li>- Drainage</li> <li>- Refuse disposal</li> <li>- Parking</li> <li>- Notices</li> </ul> <p>The conditions would be based on Model Standards applied appropriately to the application site.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 December 2022	No response
<p>Summary of comments:            Following the submission of further information, no objections raised.</p>		

## 5. Publicity

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

Category	Published	Expiry	Publication
Major Application	29 July 2022	19 August 2022	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	29 July 2022	19 August 2022	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 25 July 2022 Expiry date: 15 August 2022
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## **7. Planning policy**

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

WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

WLP8.25 - Coastal Change Management Area (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)

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

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

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

WLP8.36 - Coalescence of Settlements (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

National Planning Policy Framework 2021 (NPPF)

## **8. Planning Considerations**

### Policy and Legislative Background

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section six of this report.
- 8.2. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan") and any neighbourhood plans in place (there is no such plan covering the parish of site area).
- 8.3. The NPPF is also a key material consideration in decision-taking.

- 8.4. A screening opinion under the EIA Regulations was sought prior to an application being made. The Local Planning Authority concluded that an Environmental Statement was not required – i.e., the development was ‘screened out’, for EIA purposes.

#### Principle of Development

- 8.5. The Local Plan notes the importance of the tourism sector to the area’s economy and seeks to support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.6. Applications for new self-catering tourism development are determined in accordance with policy WLP8.29. The policy clarifies that where proposals are for expansion or intensification of an existing site, the resultant number of pitches or units will determine which consideration is given.
- 8.7. The application proposed 84 additional pitches, policy WLP8.15 identifies that Large sites (80+ pitches/units) will be supported where:
1. They are in or close to Lowestoft, the market towns, or the coastal resort towns of the District;
  2. A Transport Assessment has been submitted demonstrating no significant impacts on the highway network;
  3. Safe and convenient access to public transport and local services and amenities are provided;
  4. Covered cycle storage proportionate to the size of the site is provided on site; and
  5. Commercial, recreational or entertainment facilities are provided on site.
- 8.8. The application site is located adjacent and directly links into the existing Caravan Park site, with the application site replacing existing facilities within that site. The proposal is well located to Pakefield and Lowestoft, and would provide direct access for the site from the adjacent A12. As such the proposal is deemed compliant with points 1 and 5.
- 8.9. Consideration of points 2, 3, and 4 are fully assessed under the Highways and Transport section, however, to summarise officers and statutory consultees consider there to be no significant impacts on the highway network, and there would be safe and convenient access to public transport. The site would also provide cycle storage. Furthermore, the site is located in close proximity to local shopping and dining facilities to the west.
- 8.10. The principle of the development is therefore entirely supported by the Local Plan spatial strategy and specifics of WLP8.15.

#### Holiday occupation and restrictions

- 8.11. Policy WLP8.15 sets out that “New self catering tourist accommodation will be restricted by means of planning conditions or a legal agreement which permits holiday use only and restricts the period the accommodation can be occupied.” The preamble for the policy sets out that enforcing against breaches of holiday occupancy conditions can be extremely challenging and it is preferable to prevent breaches occurring in the first instance. It is therefore important to set out precise and enforceable conditions or legal agreements which discourage residential use and which can be effectively enforced. As such, planning conditions or legal agreements should require new self-catering tourist accommodation

units to be vacated for a specified and continuous period of at least six weeks of the calendar year. In order to facilitate year-round holiday use, the Local Planning Authority will allow proposals to vacate half the site at one time, and the rest of the site later that year.

- 8.12. As set out within section 2 of this report, both parts of the existing park have no closed period, with year round occupation recently granted via appeal on the northern portion of the site. The existing site has permission for 391 static caravans, the proposed expansion is for 86. Given this is an expansion to the site, and that it will directly link into the existing site, it is considered that the application of a closed period for just this area of the park would not be necessary or reasonable.
- 8.13. There have also been no reports of breaches of occupation on the site to the council.
- 8.14. However, a condition will be applied preventing the use of the site for any other means other than as holiday accommodation, not to be occupied as someone's sole or main residents, and that a logbook be completed for all occupants which should be made available to officers on request.
- 8.15. It is therefore considered by officers that the site could be effectively monitored, and complies with policy.

#### Landscape and Visual Impact

- 8.16. Policy WLP8.29 (Design), sets out that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should:
- Demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness;
  - Respond to local context and the form of surrounding buildings in relation to:
    - the overall scale and character
    - layout
    - site coverage
    - height and massing of existing buildings
    - the relationship between buildings and spaces and the wider street scene or townscape
    - and by making use of materials and detailing appropriate to the local vernacular;
  - Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;
- 8.17. Additionally, Policy WLP8.35 (Landscape Character) sets out that proposals for development should be informed by, and be sympathetic to, the distinctive character areas, strategic objectives and considerations identified within the appropriate landscape appraisals.
- 8.18. Policy WLP8.35 carries on to state that development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and where

possible enhance. In addition, include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.

- 8.19. The councils Principal Landscape and Arboricultural Officer has reviewed the application and raised no objections to the proposal.
- 8.20. The site is currently down to farmland and farm related activity, including a range of farm buildings which are shown for demolition as part of the development proposals. To the north is the residential edge of Pakefield, to the east is the existing holiday park, to the south open land and to the west, the A12 and commercial units. Although the change from farmed use to holiday park is notable, the receiving landscape is not considered to be of any great sensitivity especially given the strong presence of adjacent land uses.
- 8.21. The application has submitted an Arboricultural Impact Assessment & Method Statement The report identified 31 individual trees, 2no. groups and 9no. hedges. The site is predominately boundary scrub vegetation associated with field boundaries, spreading into onsite areas dominated by blackthorn and elm. The southern and eastern boundaries are marked by broken old growth Hawthorn hedgerows on variable states of maintenance. The only substantial trees within the eastern part of the site area are willows and Alders located in the central pit. The western part of the site includes a greater density of trees associated with past use as paddocks and gardens but these are in very poor condition.
- 8.22. The boundary hedgerows to the south offer significant screening. Larger specimens may be visible from some distance but otherwise the trees identified within the survey are of low landscape significance. The amenity value of the trees is limited by the visual envelope however the mature stock does offer maturity of character to the site and retention would soften the impact of development in aesthetic terms.
- 8.23. In order to facilitate the proposal 15no. trees, 8no. groups and a hedge are required to be removed. These are as follows:
- T3 T5 T6 T7 ivy covered Elms, which are dead
  - T17 Sycamore T18 multi-stemmed Crack Willow, in fair condition
  - T21 Black Elder, in fair condition
  - T22 small Wild Cherry, in fair condition
  - T23 small Ash, in fair condition
  - T24 Black Elder, in fair condition
  - T25 T27 T28 (3 x Hawthorn) , in fair condition
  - T29 Black Elder, in fair condition
  - T31 Goat Willow, in fair condition
  - G1 Crack Willow, in good condition
  - G10 Crack Willow, in good condition
  - G12 unmanaged Blackthorn along ditch, , in fair condition
  - G13 dense Blackthorn scrub, in fair condition
  - G14 scattered young Hawthorn, in fair condition
  - G15 Leyland cypress (storm damaged / deadwood) , in poor condition
  - G17 dense scrub mix Blackthorn, Willow & Damson, in fair condition
  - G19 scattered young Hawthorn, in fair condition; &
  - H8 neglected ivy covered Hawthorn / Blackthorn on ditch bank, in fair condition

- 8.24. 3 x groups require partial removal, these include:
- G16 dense area of scrub Blackthorn & Damson Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit
  - G18 dense Blackthorn scrub Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit.
  - H5 Hawthorn & Elm Fell/remove scrub to provide 1.5m clearance from proposed static caravan/lodge unit.
  - H9 Ivy covered Hawthorn Fell section to enable site access as shown on AIA plan
- 8.25. T2 Oak, which is noted as been the tree of greatest value, is situated off site & should not be adversely affected by proposal protective fencing as illustrated on Arboricultural Impact Assessment Plan.
- 8.26. Whilst some existing trees and scrub will need to be removed especially in respect of the new access, new planting is proposed in mitigation. Many existing trees are to be retained and protected during construction.
- 8.27. The southern edge of the development area is shown as being left for green space and the existing pond features are to be retained. New planting is proposed which is considered to enhance this area, establish a valuable degree of screening from views from the south, and help assimilate the area into the wider landscape.
- 8.28. There will be some disruption to local landscape character arising from the demolition/construction phase, but this is considered to be relatively short lived and will mainly focus on the demolition phase, and temporary stockpiles of excavated materials.
- 8.29. On completion, the new clubhouse and caravans are deemed to have a minor adverse effect on the character of the site itself, but once new planting begins to mature, any effects on the surrounding locality is deemed by the Principal Landscape and Arboricultural Officer to be slight, changing to neutral over time.
- 8.30. In visual impact terms, the site is generally well contained with existing retained vegetation and buildings to the north, east and west. In respect of more open views to the south, visual receptors are more distant compared to other directions. Visual impacts from construction activity will be mainly limited to local residents to the north, especially from upper floor south facing windows. At worst, for a few receptors being of high sensitivity, visual effects during construction will be substantial/moderate and adverse, albeit for a relatively short period of time, however, this is to be expected from a redevelopment of such a site. It is proposed that the build phase will take place in the closed winter period.
- 8.31. On completion, the finished development will be partially visible with glimpsed views from a limited range of locations in the locality, and such visibility will progressively reduce as new planting matures. The greatest visual effects are considered to be experienced by residential occupants of properties immediately to the north of the new clubhouse and swimming pool building, however, this is considered to be moderated over time by new boundary planting.

- 8.32. Overall, the officers including the principal Landscape and Arboricultural Officer considers that the proposal is well considered in landscape terms and would have no adverse landscape impacts. The new planting is also contributed to local landscape amenity.
- 8.33. The proposal is considered to comply with policy WLP8.35 (Landscape Character), as the proposed new planting is informed and sympathetic to the local landscape distinctiveness which will be protected and enhanced by the new planting. Furthermore, the mitigation planting and retention and protection during construction of existing planting will allow the development to integrate into the local landscape, and improving connectivity with local green infrastructure.
- 8.34. Policy WLP8.36 (Coalescence of Settlements), sets out that development of undeveloped land and intensification of developed land between settlements will only be permitted where it does not lead to the coalescence of settlements through a reduction in openness and space or the creation of urbanising effects between settlements.
- 8.35. The development is set outside of the settlement boundary, between Lowestoft and Kessingland which is identified in the policy as an important gap. However, given the screening that would be retained and proposed, and the physical separation distance that would still be retained, it is considered that there would be sufficient gap between the settlements of Lowestoft and Kessingland as to not result in the coalescence.

#### Highways and Transport

- 8.36. Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms. The NPPF sets out (inter alia) that:
- 8.37. Paragraph 110 - "it should be ensured that... (b) safe and suitable access to the site can be achieved for all users"; and
- 8.38. Paragraph 111 - "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.39. The existing site is accessed via Grayson Avenue and Arbor Lane off the B1532, this is reported to lead to several issues particularly around traffic and disruption given these are mainly residential roads. The proposal seeks to construct a new access directly off the A12 to serve the expansion site as well as the existing site. This new access has been designed as a left in left out only access, to minimise the disruption to vehicles using this section of the A12 which is located between two roundabouts situated approximately 170m to the north and 350m to the south of the access.
- 8.40. The application includes measures to limit/stop the use of the existing access. Access along Arbor Lane towards the beach has created difficulties with this arrangement as it in effect severs the site in two. It is proposed that:
- There would be no vehicular access for southernmost section of the existing holiday park and proposed extension via Arbor Lane.
  - Access via Arbor Lane would be maintained for the existing northernmost section of the holiday park and the private dwellings within the site to the east.
  - The main access to the existing reception and club house stopped up with bollards.

- To restrict holiday makers of the southernmost section of the existing holiday park and proposed extension using the Arbor Lane access, three existing barriers would be amended, to always remain down, and operated with a 'key-fob' system to only allow staff access at any time. No owners or holiday guests would have access to use these barriers to ensure that vehicles associated with the extension / southern section do not traverse across the site and use the Arbor Lane access as a shorter route to Pakefield
- All deliveries, refuse vehicles, new and replacement static caravans associated with the entire holiday park (existing and proposed) will utilise the new A12 access into the site, rather than Arbor Lane.

- 8.41. The applicant has advised that all caravan owners will be informed of this change of access arrangement and informed to arrive at the A12 access to receive their welcome pack as part of the arrival protocol (as part of their booking information). Following this they will be informed how to get to their caravan – whether this to be to use the internal network for the southernmost existing section and proposed extension, or to go round to the Arbor Lane access for the northern existing section.
- 8.42. This is considered to provide a significant benefit to existing residents along Arbor Lane and Grayson Avenue as it would take away HGV movements associated with the development on this road, as well as significantly reduce the number of vehicles movements within the surrounding residential roads. It is noted that some short term impacts may occur whilst people get used to the arrangements however, this is not considered to be long term.
- 8.43. The site access road from the A12 would be 6 metres in width for the first 30 metres, and then narrow down to a width of 4.8 metres. At a point 15 metres into the site, a raised table crossing with priority to pedestrian and cyclists would be provided to allow these movements along the A12 to cross the mouth of the junction. A 2m wide footway along the northern edge of the access from the crossing would provide pedestrian access into the site. It is proposed that the internal road will be a shared space, and as such traffic calming measures are proposed.
- 8.44. Existing vegetation cut back to pedestrian visibility splay lines for improved junction safety, and 120m long vehicle visibility splays will be provided.
- 8.45. The entry and exit barrier will be located 50m to the east of the A12. The barrier will be on a 'key-fob' system, with an intercom to reception also provided should a guest not have their access key fob. All owners will already have been issued a fob to allow them to freely enter and exit throughout the day. For holiday guests, prior to arrival, the park will make up welcome packs, including keys and barrier fobs for each guest. On arrival, holiday guests will park up in one of the 5 designated spaces provided before needing to pass through the barrier to allow any first-time check-in guests to park up and pick up their 'key-fob'.
- 8.46. The applicant has set out that in the event there are a large number of check-ins (i.e. on a bank holiday), holidaymakers would be told to park at the main complex rather than reception to give additional space to deal with high volumes. If in any unlikely event there was a queue the park would leave the barriers open to avoid queuing into the A12. In

addition, in event of a power cut, the barrier can be raised manually or unbolted in the event of damage.

- 8.47. The TRICS assessment undertaken as part of the Transport Statement confirmed that the combined development of 386 static caravans (300 existing & 86 proposed) could generate a total of 27 two-way movements in the morning peak hour and 62 two-way movements in the evening peak hour at the new A12 junction. During the busiest evening peak period, this would equate to 28 arrivals and 34 departures. Therefore, on average, there would be 1 arrival, and 1 departure, every 2 minutes, in the busiest peak period. It is noted that not all of these arrivals will be new guests with a number of existing guests entering the site using their access fob to facilitate immediate entry. Based on the site's trip generation during the busiest peak period, a car would need to remain stationary at the entrance barrier for 12 minutes before it would result in a queue of 6 vehicles and blocking back onto the A12 could occur.
- 8.48. Suffolk County Councils Highways team has reviewed the application and following the submission of further information they consider the proposal to be acceptable subject to a number of conditions including off site works.

#### Economic Considerations

- 8.49. The Waveney Local Plan identifies the importance of the Tourism Sector to East Suffolk. Waveney is home to a diverse range of natural and cultural tourist attractions and the tourism industry is a vital part of Waveney's economy. The East Suffolk Business Plan strives to build on the strength of the tourism economy and sets out the aims of increasing visitor numbers outside of the main tourist season. Supporting the industry is of great importance but it must not be at the expense of the assets and attractions that draw people in to the area.
- 8.50. Within the submitted Design, Access and Planning Statement, the applicant has detailed their economic case for the proposed development. These are:
- Improvements to the type and quality of holiday accommodation on offer through the siting of larger static caravans at the required spacing, and the provision of a new proposed central facilities complex; with a new site entrance.
  - The relocation of the coastal element of Pakefield Holiday Park through moving holiday accommodation away from an area already being diminished by coastal erosion;
  - Securing the long term sustainability of Pakefield Holiday Park as a rural business and key tourism employer in the local area.
- 8.51. The applicant details that the development will allow them to provide facilities and accommodation, in line with modern day consumer demand and trends for more spacious accommodation. In addition, it would provide sustainability of the park through reducing the threat currently posed by coastal erosion. The applicant has noted that the 'rollback' of the park by utilising land this land away from the coast will have a significant role in decreasing the risk to people and property in the future as a result of the coastal erosion problem. Long term, the park is at risk due to its location directly adjacent to the coast as evidenced by the loss of 23 static caravan pitches since 2018.



- 8.52. Furthermore, the redevelopment will result in the creation of additional full and part-time jobs, both through the construction phase and long term management of the park, as well as sustaining jobs long term. It is also considered to result in improved direct and indirect off-site spend into the local economy and wider community.
- 8.53. Officers agree with the applicant's claim that this is an important tourism asset that should be enabled to protect the existing accommodation and secure a long-term future for the park.
- 8.54. The Council's Economic Development Team have reviewed the application, commenting that they are "supportive of the application providing that the highest standards of quality and service in the tourism offer are secured." They have advised that the visitor economy is hugely important to the economic vitality of East Suffolk. The sector comprises around 1,300 businesses and employs in excess of 11,000 people, roughly 12% of the total district workforce of 90,000. Pre-pandemic, it was estimated that the value of the sector to the local economy was around £700 million. The East Suffolk Visitor Economy Strategy 2022 – 2027 aims to protect and manage the visitor economy in a sustainable way. It is also recognised that there is a need to support businesses in their adaptation to environmental change and transition towards net zero; whilst ensuring that the highest standards of quality and service in the tourism offer are maintained.

#### Amenity

- 8.55. The proposed introduction of the club house will introduce multiple, potentially significant noise sources into the immediate existing dwellings on Jubilee Road, located approximately 35m north. In particular there will be plant associated with the kitchen (flues, air intake and extraction systems, refrigeration etc), air conditioning units and pool plant. In addition, the club house itself could be a significant source of noise in connection with its use.
- 8.56. The proposed clubhouse has been designed to mitigate acoustic impacts, with measures such as the side entrance to the clubhouse being lobbied and other opening doors onto the patio area located in the façade facing away from the nearby receptors. It is also noted that the proposed clubhouse would be built to modern technical standards and therefore would have a greater acoustic design to the existing clubhouse at Pakefield.
- 8.57. The applicant has also confirmed that the main use of the bar/restaurant area would be as a bar/restaurant with only occasional (once per quarter) live entertainment events, similar to those already undertaken within the existing clubhouse. It has also been confirmed that that any live music events would only take place up to 22:30 hours.
- 8.58. The report identifies that any recorded/live music event would have a noise level of 85dB(A) at 1m from the source of the music, i.e., the speaker/amplifier. On occasions when these events take place noise levels at the nearby properties may increase by around 3dB up to 11pm. With penalties applied for intermittent and impulsive content of the noise source, rating levels within garden spaces of the nearest receptors would be around 39dB; which would be 3dB above the daytime measured background sound level. This would fall below the level at which an adverse impact would occur according to BS4142. It should also be noted that the predicted noise levels would remain below the existing measured 40dB LAeq at the properties.

- 8.59. The Councils Senior Environmental Protection Officer has reviewed the application, and the reports submitted as part of and during the course of this application. The submitted noise assessment predicts that noise from the club house will arrive at the nearest sensitive receptor at, or around, existing background levels and have a low impact on occupants. It has been recommended that conditions be applied that in line with the information underpinning the noise information. As such a condition is proposed restricting live music to no later than 10:30pm.
- 8.60. The submitted kitchen odour assessment has determined that the risk of adverse odour impacts is high and that a high level of odour mitigation will be required. In order to ensure that the appropriate measures are installed a condition will be required to ensure that the applicant submits details proposals and specifications for the intended odour abatement measures. Those measures would need to accord with the submitted odour assessment and the EMAQ guidance document 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. Thereafter, the installed measures would be required to be serviced and maintained in accordance with the manufacturers guidance to ensure that they remain effective.
- 8.61. The site plan shows the placement of caravans towards the north boundary with properties along Jubilee Road. The plans show that 25 units will be positioned along this boundary at approximately 4 – 7m from the boundary, with a further 6 units in the 'showground' area. However, the precise locations are not dictated by planning as the application is for change of use of the land to site caravans, but by the site license which controls matters such as site boundaries, density and spacing.
- 8.62. The properties along the northern boundary of the site are a mixture of single and two storey dwellings, as well as caravans, with a variety of boundary treatments along the boundary. The proposal seeks to plant a row of trees along this boundary with existing planting retained to the west, this is deemed to provide screening between the site and these residential properties. The caravans would be of standard design and single storey scale, and as such there is deemed to be no loss of light. In addition, whilst there may be limited loss of privacy whilst the planting establishes, overtime this impact would lessen. The landscaping condition would also require that any planting that dies within 5 years to be replaced.
- 8.63. Therefore, subject to appropriate conditions the proposed impact on the amenity of neighbouring residents is not deemed to adversely impact upon their enjoyment of their dwelling to warrant refusal of this application, and therefore accords with policy WLP8.29.

#### Ecology and Biodiversity

- 8.64. Policy WLP8.34 sets out the policy position for Biodiversity and Geodiversity. The policy sets out that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey, and if present the proposal must be sensitive to, and make provision for their needs. A Preliminary Ecological Appraisal and Protected Species Surveys report and a Bat Survey Assessment report.
- 8.65. The councils Ecologist has reviewed the application and the submitted reports. The submitted surveys identify that in the absence of appropriate mitigation the proposed

development could result in adverse impacts on several protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), including great crested newts, reptiles, badgers and nesting birds.

- 8.66. The survey reports provide several mitigation measures, including:
- Appointment of an ecologist acting as an Ecological Clerk of Works (ECoW)
  - Removal of suitable nesting habitats outside of breeding season
  - Requirement to obtain a Natural England licencing consent in relegation to targeted Great Crested Newt mitigation
  - Measures to ensure no grass snakes come to harm
  - A one way temporary exclusion fence will be installed across the site to separate the developable area from the conservation area.
  - All reptiles and amphibians habituated to the developable area of the site will be translocated into the receptor area.
- 8.67. The Ecologist has reviewed the mitigation measures detailed within the submitted Preliminary Ecological Appraisal and Protected Species Surveys report and has agreed with all of the mitigation measures detailed within that report. These measures would be required by any condition on an approval.
- 8.68. The Preliminary Roost Assessment (PRA) determined that three of the buildings had low to moderate potential to support roosting bats, these buildings were subsequently subject to nocturnal surveys, carried out in suitable weather conditions in August 2021, to establish if they are used by roosting bats. These surveys recorded no bats roosting in the on-site buildings during these surveys, and general bat activity was very low and limited to occasional passes from individual Common and Soprano Pipistrelle.
- 8.69. The report also identifies that all trees were of an age and/or species that do not generally support features of potential value to roosting bats, and all trees were classed as negligible value to roosting bats. Furthermore, the site was classed as being of low value to foraging/commuting bats based on the results of the nocturnal surveys and habitat assessment.
- 8.70. The Bat Survey and Assessment Report therefore identifies that there were no records of any bats roosting on the site but recommends updated surveys for bats prior to the demolition of buildings if works are delayed beyond 2022. In this instance given that the initial surveys are relatively recent and were negative, it is considered that any permission could be subject to a condition that these further reports be submitted and approved before any demolition is undertaken.
- 8.71. A mitigation strategy for reptiles will also be required however, this is recommended to be undertaken alongside the mitigation for great crested newt which will be conditioned. This involves the translocation of reptile and amphibians into receptor area.
- 8.72. The report identifies several opportunities for the ecological enhancement of the site, these include:
- Any new plantings around the site incorporates native species of locally sourced stock and include species that will benefit bats/birds and nectar feeding invertebrates;

- The defunct hedgerow in the south of the site, set for retention, could be planted up with a mix of native hedgerow species;
- New hedgerows and/or tree screens could be established around the site boundaries;
- The network of drainage ditches around the site could be restored and planted with appropriate fringing vegetation.
- The erection of bird and bat boxes on retained trees around the site boundaries.
- Improve floral diversity within the conservation area through plug-planting, seeding and a meadow management regime.

- 8.73. The development site is within the recreational disturbance Zone of Influence for Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The LPA has been seeking appropriate mitigation of tourism uses in the zone of influence to ensure that there is no adverse effect on the integrity of Habitats Sites in East Suffolk.
- 8.74. As the application proposes 84 additional units, this would trigger the threshold of 50+ residential units which requires a Habitat Regulation Assessment (HRA) to be undertaken.
- 8.75. A HRA has been undertaken by the Councils Senior Ecologist, and a consultation was subsequently undertaken with Natural England who raised no objection to the HRA. In accordance with the mitigation measures identified as part of the Suffolk Coast, the development will include:
- Landscaped onsite open space (of approximately 1.1Ha);
  - A footpath connection from the new development, through the existing caravan park, to Footpath 39 and the beach. This will allow circular walking routes from the site of a variety of lengths up to and exceeding 2.7km.
- 8.76. Whilst it is acknowledged that circular walks utilising this route will, by their nature, have to be in a north-south direction, it is considered that the presence of the beach makes up for this limitation. The implementation and retention of the part of the footpath connection through the existing caravan park will be secured by planning condition;
- 8.77. In addition, in order to conclude that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites the relevant financial contribution to the strategy is also required to be secured prior to determination. Any recommendation to approve is on the basis that this contribution is secured (through planning obligation/legal agreement); or alternative evidence provided to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites.
- 8.78. Subject to appropriate conditions, confirmation from Natural England that the HRA is acceptable and RAMS contribution (or evidenced alternative mitigation) the scheme would accord with the requirements of Local Plan policy WLP8.34, the NPPF, and the Conservation of Habitats and Species Regulations (2017) (as amended).

#### Coastal Change Management and Re-location of Development Affected by Coastal Erosion

- 8.79. The application site is not situated within the Coastal Change Management Area or the 30m buffer, however, the existing site is, and over recent years the existing site has been impacted by coastal erosion.

- 8.80. A Coastal Erosion Vulnerability Assessment (CEVA) has been submitted, and officers from the Coastal Partnership East have reviewed the application and advised that the CEVA conclusion is that there will be ~84m of erosion immediately east of the new development site over its 75 year life which will not reach the site's eastern boundary within that period.
- 8.81. This estimate of erosion extent to 2095 is more than double that in the SMP and in the 2019 CPE report, both of which are heavily referenced in the CEVA. The report assumes no defences are put in place over the 'No Intervention' policy frontage to resist erosion.
- 8.82. Coastal Partnership East have advised that the CEVA is of reasonable quality and takes a precautionary approach to erosion risk estimation. As such they have recommend that the CEVA be accepted.
- 8.83. The proposed development will meet the objectives of policy WLP8.26, because it is a pre-emptive development to extend The Park onto land outside of the CCMA. Therefore, if the existing Park has to continue removing Caravans due to coastal erosion, the proposed expansion to the west will ensure The Park has a viable future. The proposal is not a true 'rollback' scheme, because in the short-to-medium term it will be more akin to expansion of the existing Park; however, longer term, it will futureproof the operation against coastal erosion risks. From a planning perspective, early planning for rollback is critical and that this scheme accords with the general aims of WLP8.26 is a key benefit. The Park is an important tourism asset in the local economy, and it is critical to ensure that it can continue to operate and adapt to the challenges of coastal erosion.
- 8.84. Furthermore, the Councils Coastal Adaptation Supplementary Planning Document has recently completed its consultation phase and is due at Cabinet for adoption on 5 September. It is anticipated that the adoption and 5-day call-in period for any Cabinet decisions, will have concluded by the committee meeting on the 12 September.
- 8.85. The SPD is supportive around the relocation of tourism businesses, and notes that Coastal tourism is a hugely important part of the economy of East Suffolk through both direct and indirect spending, on meals out, visiting tourism sites etc. It sets out that whilst such businesses tend to be privately-owned, as the application site is, they are a vital source of employment, again both directly (caravan site staff, cleaners etc) and indirectly (from spending in local restaurants and tourism sites, and suppliers of good and services to the sites etc). The SPD sets out that allowing the continued use of such sites through rollback/relocation can therefore retain considerable public benefits for the area, as the application site would.

### Sustainability

- 8.86. The application proposes several integrated sustainability measures into the scheme, these include:
- A fabric-first approach to design including use of Energy-efficient building fabric and insulation, and securing a good quality of build to achieve good air-tightness;
  - Installation of Air Source Heat Pumps;
  - Installation of Photovoltaic panel arrays;
  - Cycle storage facilities
  - Vehicle charging points

- New plantings around the site could incorporate native species of locally sourced stock
- Ecological enhancements

### Heritage Assets

- 8.87. The application is supported by a geophysical survey and a thorough and comprehensive Historic Environment Desk-Based Assessment. Suffolk County Council Archaeological Service have reviewed the application and support the conclusions of the DBA. The report details that the site has potential for remains, particularly of the prehistoric and Romano-British periods, as indicated by the geophysical survey and information from surrounding sites recorded in the Historic Environment Record. An element of the standing buildings on the site in the farmstead (County Historic Environment Record LWT 407) was also identified as potentially being worthy of further recording.
- 8.88. It has therefore been judged that there is a 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.
- 8.89. 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 planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 8.90. The nearest listed building to the site is situated approximately 420m north of the site and given the separation distance and development between the application site and the Listed Building there is considered to be no impact on its setting.

### Other Matters

- 8.91. Suffolk County Council Flood and Water Management Team (LLFA) initially raised a holding objection as they required further information in order to provide an appropriate response. Subsequently, the applicant has provided additional information with regards to surface water flooding on the site and following this additional information the LLFA have raised no objections to the proposal subject to conditions.
- 8.92. Concerns have been raised regarding the impact that the additional 88 pitches would have on local services in the area. As the proposal is for tourist accommodation and the units will be conditioned to remain within that use, it is not considered that the demand for local services would be significant to result in significant additional pressures on services.

## **9. Conclusion**

- 9.1. The proposed development is a logical extension to The Park providing significant economic benefits and supporting an existing tourism use. The proposal would ensure that Pakefield Caravan Park can provide modern facilities to visitors to the park whilst also allowing roll back opportunity due to the challenges of coastal erosion in this area.

- 9.2. The proposal is deemed to accord with policy WLP8.15, as an expansion to an existing site which is situated adjacent to Lowestoft with a new access from the A12.
- 9.3. The proposed new access is considered safe and would result in the removal of significant traffic from the local residential road network around the existing access off Arbor Lane. In addition, the proposed extension is not considered to adversely impact upon the character and appearance of the area and would have no adverse impact on protected species whilst providing a level of ecological enhancement along the southern boundary. The proposal is also concluded to have no significant amenity impacts from increased noise or loss of privacy long term.
- 9.4. For the reasons given in this report, the scheme is considered to be an acceptable form of tourism development in accordance with the Development Plan. There are no other material considerations, in combination, that would indicate for a decision other than in accordance with the Development Plan.

## **10. Recommendation**

- 10.1. Authority to Approve, subject to conditions list below; and subject to officers undertaking an Appropriate Assessment and concluding that the scheme will not have likely significant effects on European (Habitats) Sites.

## **11. Conditions**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
  - Site Location Plan, received 23/06/2022
  - General Arrangement Plan, 201.129.ENZ.00.XX.DR.L.00.101PL05, received 15/02/2023
  - Proposed Clubhouse Floor Plan, 290-06-B, received 23/06/2022
  - Proposed Clubhouse Elevations, 290-07-B, received 23/06/2022
  - Proposed Clubhouse Roof Plan, 290-09-A, received 23/06/2022
  - Perspective view from north-east, received 23/06/2022
  - Perspective view from south-west, received 23/06/2022
  - Illustrative Masterplan, SHF.201.129.ENZ-XX-XX-DR-L-00-001PL01, received 23/06/2022
  - Landscape and Visual Assessment, SHF.201.129.LA.R.00.001, received 23/06/2022
  - Soft Landscape Plan Page 1 of 4, 201-129-ENZ-XX-00-DR-L-45-101 PL04, received 15/02/2023
  - Soft Landscape Plan Page 2 of 4, 201-129-ENZ-XX-00-DR-L-45-002, received 23/06/2022
  - Soft Landscape Plan Page 3 of 4, 201-129-ENZ-XX-00-DR-L-45-003, received 23/06/2022
  - Soft Landscape Plan Page 4 of 4, 201-129-ENZ-XX-00-DR-L-45-004, received 23/06/2022
  - Soft Landscape Schedule, received 15/02/2023
  - Entire Site Plan, 201-129-ENZ-XX-01-DR-L-00-002, received 23/06/2022
  - Landscape Management and Maintenance Plan, SHF.201.129.ENZ.LA.R.001, Prepared by Enzygo Ltd, received 23/06/2022

- Flood Risk Assessment (FRA), SHF.201.137.HY.R.001.A, Prepared by Enzygo Ltd dated February 2022, received 23/06/2022
- (FRA) Consultation response, SHF.201.137.HY.R.002.A, Prepared by Enzygo Ltd dated February 2023, received 06/02/2023
- (FRA) Consultation response, SHF.201.129.HY.L.004.A, Prepared by Enzygo Ltd dated February 2023, received 31/03/2023
- Phase I Geo-Environmental Report, SHF.201.129.GE.R.001.A, Prepared by Enzygo Ltd dated June 2022, received 04/11/2022
- Coastal Erosion Vulnerability Assessment (CEVA), SHF.201.129.HY.R.003.A, Prepared by Enzygo Ltd dated June 2022, received 23/06/2022
- Preliminary Ecological Appraisal & Protected Species Surveys, CE21037, Prepared by Co-Ecology dated May 2022, received 23/06/2022
- Bat Surveys and Assessment, CE21037, Prepared by Co-Ecology dated September 2021, received 23/06/2022
- Tree Survey & Arboricultural Constraints Report and Tree Constraints Plan, Prepared by Corsican Associates dated 2 March 2022, received 23/06/2022
- Transport Statement, SF5046PD, Prepared by Sustainable Development and Delivery dated June 2022, received 23/06/2022
- Proposed Sitewide Plan, 290-10-P2, received 23/06/2022
- Design and Access Statement (relating to Central Facilities Building) dated June 2022 Prepared by Laurie Wood Associates, received 23/06/2022
- Geophysical Survey Report, MSST1268, dated 7 June 2022 Prepared by Magnitude Surveys, received 23/06/2022
- Sustainability Statement, LA.AL.NR33, prepared by engergist, received 29/07/2022
- Arboricultural Impact Assessment & Method Statement, CA21/021, Prepared by Corsican Associates dated 19 June 2022, received 29/07/2022
- Tree Protection Plan, 21/021-03, received 29/07/2022
- Noise Impact Assessment, SHF.201.129.NO.R.001, Prepared by Enzygo Ltd, received 04/11/2022
- Additional Acoustic Information, via email, received 09/01/2023
- Kitchen Odour Risk Assessment, SHF.201.129.AQ.R.001, Prepared by Enzygo Ltd, received 10/11/2022

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

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

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

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal & Protected Species Surveys (Co-ecology, May 2022) and the Bat Survey Assessment report (Co-ecology, September 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.



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

5. The development shall not in any circumstances commence unless the local planning authority has been provided, in relation to great crested newts, with either:
  - a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
  - b) a statement in writing from the relevant licensing body, or a suitably qualified and licenced ecologist, to the effect that it is not consider that the specified development will require a licence.

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

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

Reason: To ensure that nesting birds are protected.

7. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for great crested newts, reptiles, badgers, bats and nesting birds has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

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

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

8. Prior to works above slab level a "lighting design strategy for biodiversity" for the areas highlighted within the PEA (Co-ecology, May 2022) 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.

9. Prior to construction of the club house, hereby approved, an assessment of odours arising from the proposed kitchen details proposals and specifications for the intended odour abatement measures, shall be submitted to, and approved in writing by, the LPA. The assessment should accord with the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems. An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.' If odour control measures are required these should be detailed. Thereafter the development must be completed in accordance with the approved odour assessment, and the equipment serviced and maintained in accordance with the manufacturers guidance to ensure that they remain effective.

Reason: To protect the amenity of neighbouring residents

10. The club house, hereby permitted, shall be constructed and operated in accordance with the recommendations as set out within the Noise Impact Assessment (SHF.201.129.NO.R.001, prepared by Enzygo Ltd), received 04/11/2022.

Reason: To protect the amenity of neighbouring residents

11. The clubhouse, hereby permitted, shall not be operated outside of the hours, 07:00 and 00:00 (midnight)

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

12. No amplified or live music shall be played in the premises outside of the following times 07:00 and 22:30.

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

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 the report of an intrusive investigation of contamination has been submitted to, and approved in writing by, the local planning authority. The report should include:
- 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 to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and Land Contamination Risk Management.

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 BS8485:2015+A1:2019 and Land Contamination Risk Management.

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.

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

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

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 14 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.

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

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 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 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 commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

19. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

20. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, 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 with the county of Suffolk

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

21. No development shall commence until 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
- Temporary drainage systems
  - Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

22. 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 (2021).

23. 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 22 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 (2021).

24. No development shall take place until the applicant or developer has secured the implementation of a programme of historic building and analysis work in accordance with a written scheme of investigation which has been submitted to 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 (2021).

25. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. SF5046-3PD-001 B Rev B metres measured from the nearside edge of the metalled carriageway.

Thereafter it shall be retained in its approved form.

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

26. 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.

27. 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. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

28. The use shall not commence until the area(s) within the site shown on drawing no. 201.129.ENZ.00.XX.DR.L.00.101 PL05 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / 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.

29. Before the vehicular 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 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

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.

30. Before the pedestrian 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 from 15 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 25 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

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.

31. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. SF5046-3PD-002 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

32. The approved static caravans shall be used for holiday/tourism accommodation only and for no other purpose unless express planning permission is granted by the Local Planning Authority (LPA). The owners/operators of the holiday units hereby permitted shall maintain an up-to-date register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said register shall be made available at all reasonable times to the LPA.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, delivering benefit to the rural tourism economy, in accordance with Policy WLP8.15.

33. No more than 86 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on the site at any time.

The units shall only be sited on the identified for such purposes on the Site Layout (201.129.ENZ.00.XX.DR.L.00.101). For the avoidance of doubt, static caravans shall not be sited on the southern part of the application site.

Reason: To ensure that the number of caravans on site is controlled and that the open green space is retained to protect the wider character of the area

34. All hard and soft landscape works shall be carried out in accordance with the approved plans and details, as shown on 201-129-ENZ-XX-00-DR-L-45-101 PL04, 201-129-ENZ-XX-00-DR-L-45-002, 201-129-ENZ-XX-00-DR-L-45-003, 201-129-ENZ-XX-00-DR-L-45-004, and the approved Soft Landscape Schedule.

The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory

35. No development shall take place until the existing trees and hedges on site which are to be retained as detailed on approved Arboricultural Impact Assessment & Method Statement (CA21/021, dated 19 June 2022) have been protected in accordance with the measures detailed within that report. All protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected.

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

36. Prior to the siting of any static holiday caravans on the land, a colour scheme/pallet for the external appearance of the static caravans shall be submitted to and approved in writing by the Local Planning Authority. All static holiday caravans sited on the land shall have an external appearance in accordance with the approved colour scheme/palette.

Reason: To ensure the proposal respects the character and appearance of the area.

37. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points 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: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the provision of electric vehicle infrastructure if a suitable scheme cannot be retrospectively designed and built.

38. Prior to the first use of the new access onto the A12, hereby approved, precise details of means and operations to restrict access onto Arbor Lane, as set out within the submitted document "Technical Note 1", and drawing SF5046-3PD-002, shall be submitted to and approved in writing by the Local Planning Authority. The existing access points along Arbor Lane shall then be restricted in accordance with the approved measures with 2 months of the first use of the new access onto the A12. The measure shall thereafter be retained and operated in accordance with those approved details.

Reason: To reduce impact on local road networks.

39. Prior to any demolition on the site, a repeat building inspection for bats and one emergence or dawn re-entry survey (as identified in the approved Bat Survey Assessment report (Co-ecology, September 2021)) shall be undertaken and a report detailing the results of these surveys shall be submitted to and approved in writing by the Local Planning Authority. If any mitigation or compensation measures are required as a result of these surveys, details of these shall be included within the submitted report, and works shall be undertaken in accordance with those approved details.

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

40. Prior to commencement of the development hereby permitted, details of the proposed access points, including pedestrian and vehicular, into the existing site marked with blue on drawing 201-129-ENZ-XX-01-DR-L-00-002 shall be submitted to and approved in writing by the Local Planning Authority. The approved access arrangements shall be constructed prior to the first use of the expansion area hereby approved, and those approved access points along with the walking route through the proposed and existing site as shown on drawing 201-129-ENZ-XX-01-DR-L-00-002 shall thereafter be retained.

Reason: To ensure that suitable links are provided between the existing and proposed sites, and that a suitable walking route required by the HRA can be provided.

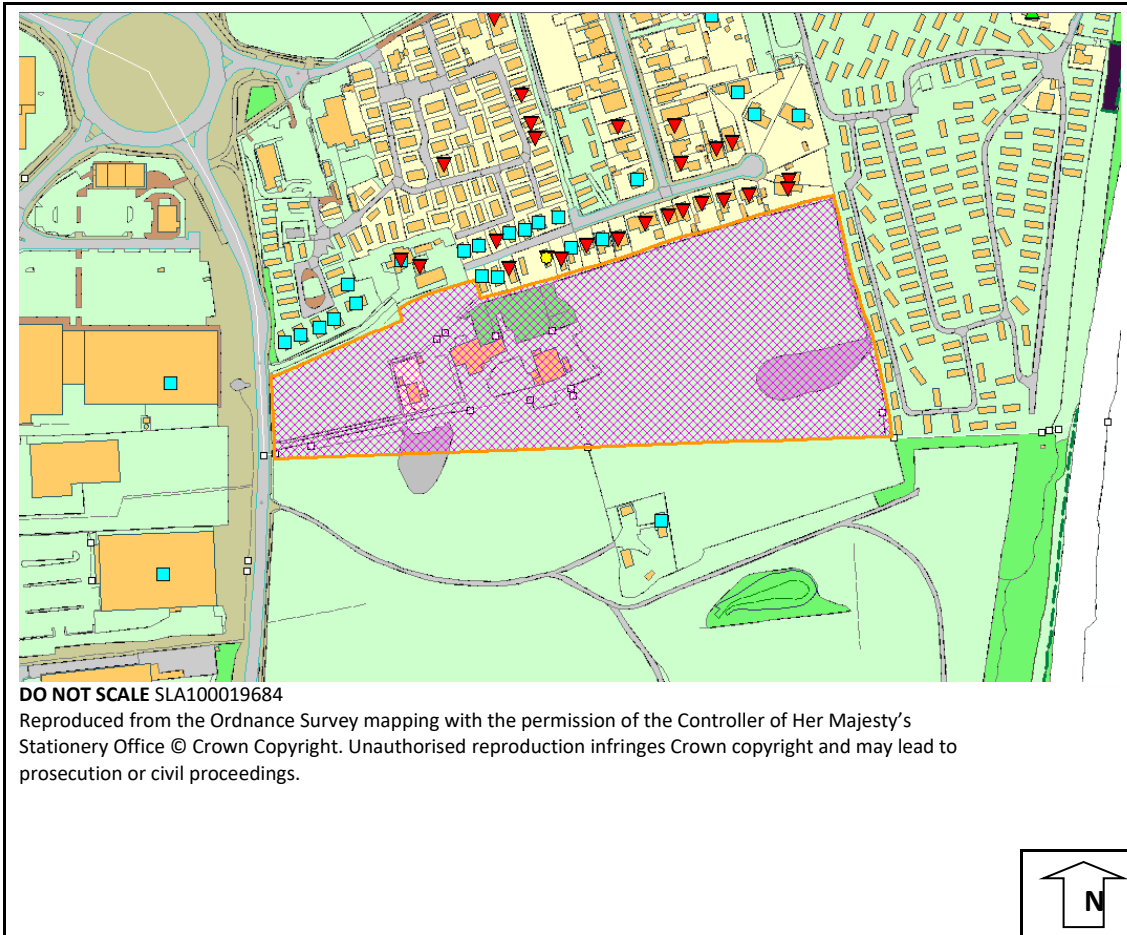
41. The proposed site, marked with a red line on drawing 201-129-ENZ-XX-01-DR-L-00-002, and the existing site, marked with a blue line on drawing 201-129-ENZ-XX-01-DR-L-00-002, shall be retained within the same ownership.

Reason: To ensure that 2.7km walking route required under the HRA can be provided long term.

**Background information**

See application reference DC/22/2520/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee North** - 12 September 2023

**Application no** DC/22/4995/FUL

**Location**

Beetlebank Farm  
Darsham Road  
Bramfield  
Halesworth  
Suffolk  
IP19 9AG

**Expiry date** 17 February 2023

**Application type** Full Application

**Applicant** Mr Geoff Wakeling

**Parish** Bramfield

**Proposal** Siting of a temporary static caravan to accommodate a rural worker

**Case Officer** Jamie Behling

07919 303788

[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1. The proposed development seeks permission to site a static caravan on agricultural land to accommodate a rural worker at Beetlebank Farm.
- 1.2. The application accords with planning policy. In terms of consultation responses received, the Parish/Town Council does not object, the former ward member requested the application be presented before the referral panel (before the elections) and there have been no objections from statutory consultees.
- 1.3. The application is presented to the Planning Committee due to the applicant being an elected member of the Council. The applicant became an elected member in May during the course of consideration of the application.

## **2. Site Description**

- 2.1. Beetlebank Farm extends to 37 acres and comprises mixed pasture and woodland, a large agricultural barn and a small office building. The farm is accessed via a shared dirt track leading to the barn with the only adjacent neighbour being Grove Farm which appears to be used as holiday lets approved under previous planning applications. Grove Farm is outside of the ownership of the applicant with no planning history of them being connected.
- 2.2. An application (DC/20/4473/PN3) was submitted in 2020 for the conversion of the barn on the site into a dwelling under permitted development rights, however this application was withdrawn as the barn was not considered suitable for conversion.
- 2.3. The applicant inherited Beetlebank Farm in 2020 after decades of disuse. They subsequently started running the farm again in order to 'create a business emphasising self-sufficiency, conservation and community'. The farm is being run using traditional conservation-based farming methods, including rotational grazing, no-dig gardening, pasture-based livestock, agroforestry and regenerative agriculture. The farm currently contains nearly 50 sheep, up to 25 pigs, 100 birds including rare breed pheasants, chickens, ducks and geese, as well as birds of prey, ferrets and 7 dairy goats.

## **3. Proposal**

- 3.1. The proposal seeks to site a static caravan adjacent to the barn at Beetlebank Farm for a temporary time period of three years in order for the owner to live on the site and have access to the livestock at all times of the day.

#### 4. Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Bramfield Parish Council	12 January 2023	31 January 2023
Summary of comments: Bramfield Parish Council "The Parish Council has no objection to this planning application and support the applicant's rural enterprise. However, the Parish Council has concerns over any future development of the site over and above the temporary accommodation proposed in this planning application."		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	12 January 2023	13 January 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	12 January 2023	16 January 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	8 March 2023
Summary of comments: Requests application to be called into Referral Panel.		

##### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	12 January 2023	30 January 2023
Summary of comments: Comments included within officers considerations.		

### **Third Party Representations**

No third-party representations received.

### **5. Publicity**

None

### **Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 20 January 2023

Expiry date: 10 February 2023

### **6. Planning policy**

National Planning Policy Framework 2021

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.3 - Housing Development in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.6 - Rural Workers Dwellings (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

### **7. Planning Considerations**

#### Principle

7.1 The application site lies outside of the defined settlement boundary of Bramfield, and is therefore considered to be the Countryside, where, as indicated in policy SCLP3.2 of the



Suffolk Coastal Local Plan, new residential development will not be permitted unless it meets other planning policies identified in the local plan and NPPF.

7.2 One such policy is Local Plan Policy SCLP5.3 which sets out a number of circumstances where new residential dwellings in the Countryside might be acceptable. One of these examples is where a proposal is otherwise in compliance with SCLP5.6 which relates to Rural Workers Dwellings. This policy states that proposals for permanent dwellings in the Countryside for rural workers where they are to support an existing and viable rural business will only be permitted where:

"a) There is a clearly established existing functional need for a worker to be accommodated;

b) The need could not be fulfilled by another existing dwelling or accommodation in the area which is suitable and available for the occupied workers or, could be converted to do so;

c) The need relates to a full time worker, or one who is primarily employed in the rural sector, and does not relate to a part time requirement;

d) The unit and the rural activity concerned has been established for at least three years, has been profitable for at least one of them, is financially sound and has a clear prospect of remaining so;

and

e) The proposed dwelling is sensitively designed, landscaped and located to fit in with its surroundings and of a scale that reflects its functional role to support the agricultural activity."

7.3 The policy recognises that such accommodation can usually be met in existing properties either on site or in nearby settlements, but that in some instances it is essential for a worker to be in close proximity to the business, this is usually related to livestock or crops.

7.4 The NPPF indicates that new isolated homes in the countryside should be avoided unless there are special circumstances, which includes an essential need for a rural worker to live at their place of work in the countryside.

7.5 The Planning Statement has described the current number of livestock on the farm, which includes 25 sheep, 3 pigs, 100 birds including rare breed pheasants, chickens, ducks and geese, as well as birds of prey, ferrets and 7 dairy goats. However, since the application was submitted it is now claimed that there are now nearly 50 sheep and up to 25 pigs at the peak of numbers. The current flock of sheep are forecast to grow following lambing to up to 75 sheep and 25 ewe. The pigs farrow twice a year and numbers are predicted to grow to around 40 producing around 100 piglets per year. The birds hatch 200-300 chicks each year, and the dairy goats kid all year.

7.6 It is claimed that the functional need of the business is primarily concerned with the lambing and farrowing of the livestock. The business plan is to significantly increase the number of livestock on the farm which along with other farming activities, require 24/7 care. The chances of animals surviving birth is argued to be much greater if the applicant lived on site due to the short time scales the animals have from birth in which to be cared for. The applicant has supplied an accompanying letter of support from Three Rivers and Chapelfield Farm Vets in Beccles emphasises the importance of living close to livestock in order to maintain welfare standards.

- 7.7 The applicant is currently living in Halesworth in rented accommodation however it is felt that this is not sustainable due to the cost of rented properties increasing and the distance needing to be travelled, to and from the farm at varying times of the day.
- 7.8 The reference to protection of pests, specifically foxes, is noted. Noise from the poultry could indicate a predator attack which the applicant could then prevent by living on site, but pest protection can exist without a resident farmer and does not rely solely on an on-site agricultural worker to monitor and maintain them.
- 7.9 The applicant has also claimed other functional needs to be on site which includes covering crops due to temperature changes, harvesting flowers and vegetables, fence moving, biosecurity from unexpected visitors and possible dog attacks from walkers. It is acknowledged by the applicant that the farm is a fledgling business however in order to give it the best chance of success they feel that living on the site would significantly improve its viability, reducing financial and emotional costs.
- 7.10 In terms of the livestock need to be within 'sight and sound' of livestock, this cannot be fulfilled by other homes in the area. Nearby there is one large occupied home and some associated holiday let barns which are not available for this purpose. It is therefore reasonable, on livestock grounds only, to seek a temporary static caravan.
- 7.11 The applicant inherited the farm in 2020 and it appears to have been up and running sometime in 2021 as this is when the financial information begins. The local planning policy refers to a need of three years of running the business with at least one year being profitable, which currently has not fully been demonstrated. It is recognised however that living on site would be beneficial to the applicant and their business and its expansion to a viable level of activity. It is within the three years of this consent that the applicant would need to grow their business to a sustainable and profitable level. Therefore in this instance it is felt that that the predicted level of livestock, represents a valid functional need for a rural workers dwelling in order to help the business grow.
- 7.12 The application states: *"The business has been established for 18 months. Confidentially submitted accounts show that the business made a small loss in its first year (2021-22), which is not unusual for a new farming enterprise. However, it is running in profit for the current financial year, and projections show that the business will grow in profitability in the coming years, reaching a significant profit by 2025-26"*
- 7.13 At present the profit doesn't reach a level which also covers a minimum wage salary for the applicant. The viability of both the business and living wage for the farmer are essential in proving a long-term residential prospect here. The forecast for this financial year suggests that might be achieved and that will aid any future application. There will also need to be significant investment in the site to grow the business over the 3 years.
- 7.14 It has been concluded that there is now a functional requirement for someone to be on site to deal with matters arising at irregular working hours and intervals throughout the day and night, on site. With significant numbers of livestock being on site at any one point combined with the need during the calving period, the functional requirement for someone to be on site to attend to urgent matters has become crucial and apparent.

- 7.15 This is a fairly small agricultural holding and it is usually questionable as to whether such a scale of holding is capable of supporting a profitable venture to justify long term residential occupancy. The approval of this temporary consent does not establish that permanent dwelling should be allowed. Also, repeated temporary consents for static caravans should not be granted if the applicant is unable to demonstrate suitable profit and viability. It is therefore considered the proposal complies with Policy SCLP5.6 and consequently to SCLP3.3 and the NPPF because there is a functional need that would make it essential for a worker to live on the site. As the farm business is still at an early stage of life, a three-year temporary time limit on the caravan will allow the applicant time to grow the business and give the Local Planning Authority reassurance that the business is sustainable and financially viable in the long term. In approximately 2.5 years from the first occupation of the static caravan, through any further application, officers will re-assess the growth of the business and consider whether the applicant has made meaningful strides in growing the business to a sustainable level. If no further application is received in that three year period then the static caravan would have to be removed upon the consent expiring.
- 7.16 Given the need for the applicant to purchase and mobilise the static caravan prior to occupation, it is reasonable that 6 months is allowed for that process and the three years of consented occupation should run from first occupation. Therefore in effect, the applicant should be allowed 3.5 years of consent. This will ensure that for any future application, close to 3 years of running accounts could be provided.

#### Visual Amenity, Street Scene and Landscape

- 7.17 The site is located along a private track a significant distance from the highway or any other public rights of way. The proposed static caravan would be positioned close to the existing barn with substantial amounts of vegetation between it and the highway. Due to its position and size it would be unlikely to lead to any significant harm to the visual amenity of the area or the landscape.

#### Residential Amenity

- 7.18 The siting of static caravan in this location is far enough from neighbours that it would not lead to any loss of privacy, loss of light or oppression to neighbouring properties. The scheme would therefore not harm the residential amenity of neighbours.

#### Landscaping/trees

- 7.19 The proposal does not include any significant landscaping or the removal of trees.

#### Parking and Highway Safety

- 7.20 The site is accessed up an existing track used by the farm and its neighbour. There have been no objections raised by SCC Highways as the connection to the road has good visibility splays and is already in use.

#### Contamination

- 7.21 Environmental Protection have assessed the environmental search information and are content the proposal would not pose a risk to the health of the inhabitants of the caravan.

#### Ecology

RAMS/Ecology;

- 7.22 The application has not provided an ecological appraisal but it has been concluded that there are unlikely to be any protected species directly affected by this proposed scheme and therefore further information is not necessary.
- 7.23 The applicant/agent has paid the RAMS habitat mitigation payment, which has been received by the local planning authority.

## **8. Conclusion**

- 8.1 Overall, the principle of development is considered to be acceptable in this instance. There is a marginal justification for the need for an agricultural rural workers dwelling , given the very modest agricultural holding and the livestock focussed farm business. The caravan would not harm the visual amenity of the area or the landscape, nor would it have a negative impact on the residential amenity of neighbours and therefore the proposal is considered compliant with the policies listed above. It is essential that the applicant uses this three years effectively to prove the financial viability of this farm in order to have any longer term residential prospects on the site. If that process fails there would be no long term effects of this three year presence of a static caravan.

## **9. Recommendation**

- 9.1 Approval of planning permission subject to the following conditions.

### **Conditions:**

1. The applicant shall notify the Local Planning Authority of the date of first occupation of the static caravan and this must be within 6 months of the date of this consent. This permission shall expire three and a half years (42 months) from the date of this consent, by which date 'The temporary rural workers dwelling' hereby permitted shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed.

Reason: The structures are unsuitable for permanent consent by virtue of its character/impact upon the locality

2. The development hereby permitted shall be completed in all respects strictly in accordance with 30-001, 30-002 and 30-003 received 23/12/2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. There shall only be one caravan (mobile home) sited on the application site, and that mobile home shall be the unit detailed on Drawing No. 30-003 received 23 December 2022.

Reason: to ensure the development is limited to only that which is required to meet the functional need for on site accommodation.

4. The static caravan shall only be occupied by Mr Geoff Wakeling and any spouse and dependents.

Reason: Because of the personal circumstances of the business case and agricultural need in the application.

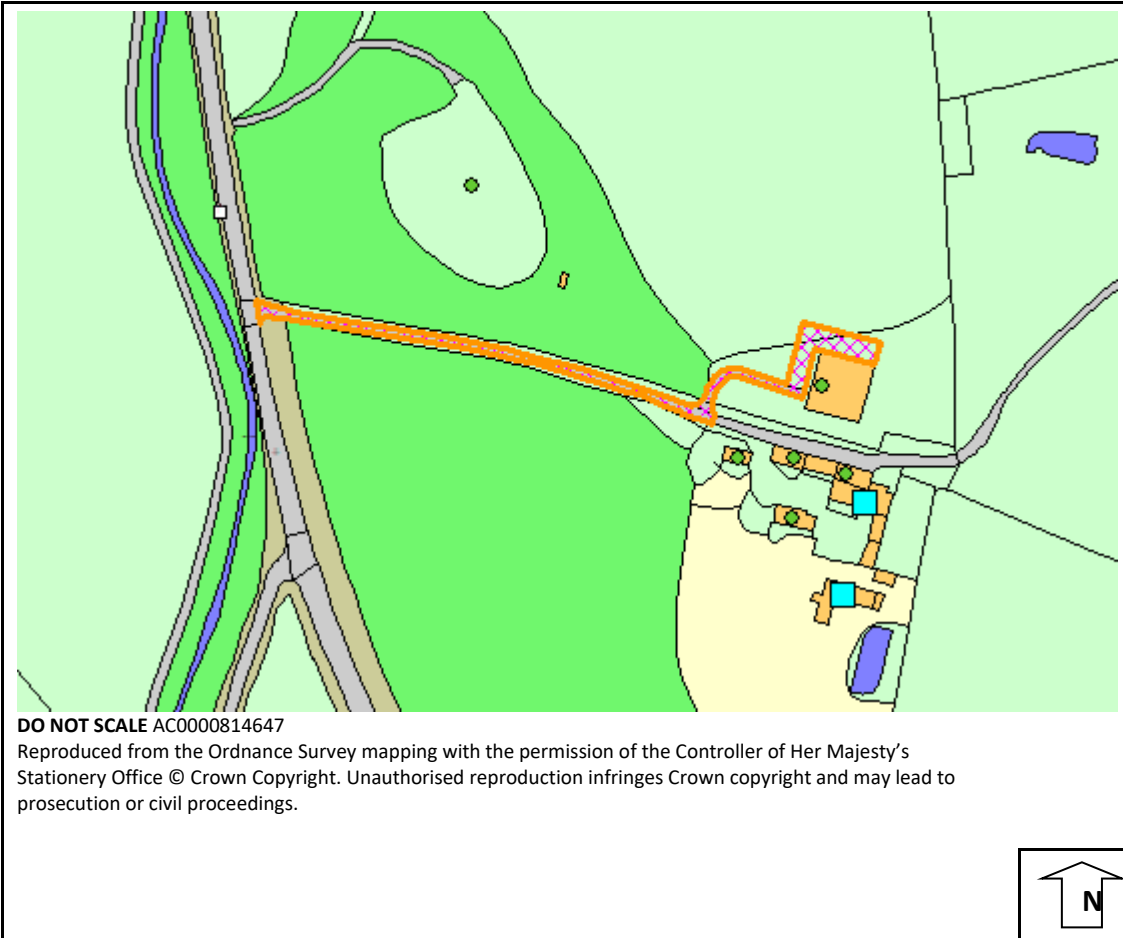
**Informatives:**

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/22/4995/FUL on [Public Access](#)

## Map



## Key

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



## Committee Report

**Planning Committee North** - 12 September 2023

**Application no** DC/22/4893/FUL

**Location**

Shorelands  
Palmers Lane  
Walberswick  
Southwold  
Suffolk  
IP18 6TQ

**Expiry date** 8 February 2023

**Application type** Full Application

**Applicant** Ms Rachel Lewis

**Parish** Walberswick

**Proposal** Demolition of existing cartlodge with room over. Erection of extension to south of dwelling comprising living and bedroom accommodation for annexe accommodation. Erection of detached single storey garden building comprising swimming pool and leisure area also comprising Air source heat pump unit. Erection of detached single storey store building. Installation of photovoltaic panels to roof areas.

**Case Officer** Joe Blackmore, Principal Planner (Development Management)

## **1. Summary**

- 1.1 The application seeks planning permission for extensions and alterations to the property 'Shorelands', comprising the following works:

*Demolition of existing cartlodge with room over. Erection of extension to south of dwelling comprising living and bedroom accommodation for annexe accommodation. Erection of detached single storey garden building comprising swimming pool and leisure area also comprising Air source heat pump unit. Erection of detached single storey store building, and installation of photovoltaic panels to roof areas.*

- 1.2 The proposed development has been amended during the determination period in response to officer feedback. The amended scheme is judged to be acceptable and in accordance with the Development plan, and thus recommended for approval.
- 1.3 The officer 'minded to' recommendation is contrary to the views of Walberswick Parish Council and Ward Member, Cllr David Beavan. The application was referred to the Planning Committee (North) for determination by the Referral Panel.

## **2. Site Description**

- 2.1 The application site is located in the village of Walberswick, south of the River Blyth and at the heart of the Suffolk Heritage Coast. Walberswick is part of the Suffolk Coasts & Heaths Area of Outstanding Natural Beauty (ANOB). The application site falls outside the Walberswick Conservation Area, although the boundary of the Conservation Area runs to the south of the site.
- 2.2 'Shorelands' is a large two storey dwelling accessed off Palmers Lane. The property has a large rear garden and a gravelled parking/turning area to the front.
- 2.3 Planning History:
- Planning permission ref. C/06/1011 (Permitted) - Erection of a replacement dwelling and carport and alteration to existing vehicular access.

## **3. Proposal**

- 3.1 The application seeks to demolish the existing cart-lodge and replace with a single storey side extension (used for annexe accommodation); a detached outbuilding to the north of the property; and a detached outbuilding to the rear of the site, to the west of the main building. The outbuildings would be used for purposes incidental to the main dwellinghouse.

## **4. Third Party Representations**

- 4.1 Following re-consultation on the amended plans, seven neighbour objections were received; two being from the same property address.
- 4.2 The key concerns raised in those letters include (inter alia):



- The buildings are too large;
- The proposal is out of proportion with the surroundings;
- The swimming pool building is too close to the surrounding properties;
- Noise and disruption during the construction process;
- The works will harm the streetscene and create a terraced feel;
- The proposal will block views of the Church for neighbouring properties;
- Walberswick does not need another 'party house' for holiday letting/AirBnB;
- The amendments made to the application are only minor; and
- Use of the buildings will cause noise and disturbance for neighbours.

## 5. Consultees

Consultee	Date consulted	Date reply received
Walberswick Parish Council	21 December 2022	23 January 2023

### Summary of comments:

*"In the opinion of the Parish Council this application does not satisfy Local Plan policies relating to 'infill and garden development', 'residential amenity' and 'design quality' and should be REFUSED.*

*This proposal fails to understand the existing spatial qualities of the existing property and those around it, and consequently would harm the established streetscape and residential amenity of several neighbouring properties."*

Consultee	Date consulted	Date reply received
Walberswick Parish Council	16 June 2023	30 June 2023

### Summary of comments:

*The Parish council notes the minor amends to the plans, but In the opinion of the Parish Council the revisions made to the scheme do not address or satisfy the comments raised in our report submitted on 23rd January 2023. This proposal still fails to understand the existing spatial qualities of the existing property and those around it, and consequently would harm the established streetscape and residential amenity of several neighbouring properties. This revised proposal also still does not satisfy Local Plan policies relating to 'infill and garden development', 'residential amenity' and 'design quality' and should be REFUSED.*

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	N/A	9 January 2023

### Summary of comments:

No objections but recommend standard conditions.

Consultee	Date consulted	Date reply received
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SCC County Archaeological Unit	16 June 2023	16 June 2023
Summary of comments: No objections, recommend standard conditions.		

## 6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	5 January 2023	26 January 2023	East Anglian Daily Times

## 7. Site notices

General Site Notice

Reason for site notice: Conservation Area

Date posted: 6 January 2023

Expiry date: 27 January 2023

## 8. Planning policy

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP11.1 - 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)

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

SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021 (NPPF)

## 9. Planning Considerations

### Design, Visual Amenity, and Impact on Setting of the Conservation Area

9.1 The application property is a large dwelling on a sizeable plot outside the Walberswick Conservation Area (CA); however, the CA boundary runs along the southern boundary with

the two adjacent neighbouring properties. Therefore, the setting of the CA is a material planning consideration.

- 9.2 The proposed outbuilding to the north of the site would be located in line with the front elevation of the main property. It would be single storey and appear recessive to the main dwelling. This outbuilding would likely be quite well-screened from the highway by existing hedgerow and trees. It is a relatively minor addition on a large site which can comfortably accommodate a modest outbuilding of this form. The proposed use of materials is acceptable in relation to the main dwelling.
- 9.3 The proposal seeks to replace the existing south side cart-lodge with a single storey pitched roof, side extension to the dwelling. This has been significantly reduced in scale following officer feedback during the application process. Officers are now satisfied with the proposed scale and recessive nature of the proposed extension, as the design is in-keeping with that of the main house and character of the area. Whilst the side extension will be visible from the streetscene (Palmers Lane), the proposed works reduce the scale of the existing cart-lodge and are considered an improvement from the originally submitted plans. The proposal is not considered to have any additional adverse impact upon the streetscene as a result. The use of materials will match that of the main dwellinghouse, which is acceptable.
- 9.4 The proposed use of the side extension will be as a residential annexe; the description of development has been updated to reflect this. The provision of a residential annexe is acceptable through an extension of a larger property with internal connection. The Council's annexe policy preferentially supports extensions to existing dwellings rather than detached outbuildings, and in this case the proposal is an acceptable extension to provide that accommodation in accordance with SCLP5.13; the proposal is clearly well-related to the host property, served by the same access, and will be reliant on the main property for facilities and day-to-day living.
- 9.5 The application also seeks a detached larger outbuilding to the rear, west of the main dwelling. This proposed building would have a pitched roof and comprise a gym, pool, and art studio; these are uses incidental to the main dwellinghouse.
- 9.6 The location of the outbuilding has been re-positioned slightly north of the southern boundary to reduce impact on the adjacent property, as it is acknowledged that the building has quite a large footprint; however, there is ample space within the site for the building and there are no planning reasons to refuse an outbuilding simply because it is large. The application site is sizeable and can accommodate an outbuilding of such size. Whilst the footprint is large, the height is relatively low and will still appear subservient to the existing dwelling. The use of materials follows that of the main dwelling and are considered appropriate for the character of the site.
- 9.7 The application is considered to have no adverse impact upon the character of the Walberswick Conservation Area which runs adjacent to the southern boundary, and therefore its significance will be preserved as a designated heritage asset in accordance with the historic environment objectives of the Local Plan, NPPF and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 9.8 Overall, the amended proposal is of good design that will relate well to the surrounding area, preserving the setting of the Walberswick CA. The proposal is compliant with policies SCLP10.4, SCLP11.1, and SCLP11.5 of the local plan.

#### Residential Amenity

- 9.9 The proposed works have been significantly reduced since the original submission, and the initially proposed two storey side extension is now single storey in scale, akin to the cart lodge it replaces. The scale of the proposed works is visually recessive and subservient to the main dwelling, which will remain the dominant feature on site. The larger of the proposed outbuildings has been re-positioned away from the southern neighbouring property to reduce any potential amenity impact. The northern, smaller outbuilding is modest in scale and acceptably related to neighbouring properties.
- 9.10 Some of the local objection sets out that the development is not needed; however, this is irrelevant to the planning process. Whether the applicants desire a home pool and gym is entirely their own choice, and the key planning considerations here are about the form of the building, and whether the use will have any amenity impacts. The larger outbuilding will contain uses that are incidental to the dwellinghouse, and such use can be controlled by conditioned, if permission is granted. There is nothing inherent to the proposed outbuildings and their uses (as noted on the proposed floor plans) to indicate that there would be harm to the living conditions of local residents.
- 9.11 Any objections regarding loss of view are immaterial, and this cannot be taken into consideration.
- 9.12 Officers acknowledge that the proposal represents significant extensions and associated development at the site; however, the proposals are of good design and, for the reasons set out, unlikely to cause harm to local amenity. The scheme therefore accords with policy SCLP11.2 of the Local Plan.

#### Trees and Landscape Impact

- 9.13 The site is in the AONB; however, this part of the settlement is characterised by dwellings and their associated outbuildings, gardens etc. In this context, the proposal will be expected and cause no harm to the special qualities of the landscape designation.
- 9.14 The proposal falls within relatively close proximity of trees, and T1 to the front of the site will need to be removed. However, as this site is outside of the Conservation Area, trees could be removed without any consent being required from the LPA. Officers do not consider any of the nearby specimens to be suitable for protection via Tree Preservation Order, and therefore no grounds to refuse the application on tree impacts. In any case, the proposed plans indicate the development can be carried out with minimal tree impact.

#### Highways/Parking Provision

- 9.15 The proposal will convert the existing cart-lodge ground floor space into annexe accommodation, and this will therefore cause the loss of some parking provision. However, the application site benefits from a substantial potential parking/turning space to the front of the property on the gravelled area. There will be suitable parking space for three vehicles

and a suitable turning area to leave the application site in forward gear. The proposal is therefore acceptable in highways safety terms in accordance with policy SCLP7.1 of the Local Plan.

## **10. Conclusion**

10.1 The amended proposals are deemed to be of good design that will relate well to the existing dwelling and adjacent residential properties. The setting of the Conservation Area would be preserved, and there are no significant adverse impacts or harms arising from this development proposal. Whilst the local concerns are noted, and have been fully considered, officers find that the amended scheme is acceptable and in accordance with the Development Plan and NPPF. Planning permission can therefore be granted.

## **11. Recommendation**

11.1 Approve.

## **12. Conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with Drawing Numbers 01, 05 rev G, 06 rev I, 07 rev H and 08 rev D; received 15/12/2022 & 01/06/2023.

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

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

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

4. The hereby approved outbuildings shall only be used for purposes incidental to the main dwellinghouse.

The annexe accommodation in the ground floor side extension shall only be used/occupied ancillary to the main dwellinghouse; it shall not be occupied as a separate independent unit of accommodation, nor used for short-term holiday letting separate from the main dwellinghouse.

Reason: to control the use of the approved development in the interest of neighbour amenity.

5. 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 Policy SCLP11.7 of Suffolk Coastal Local Plan (2020).

6. 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 5 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

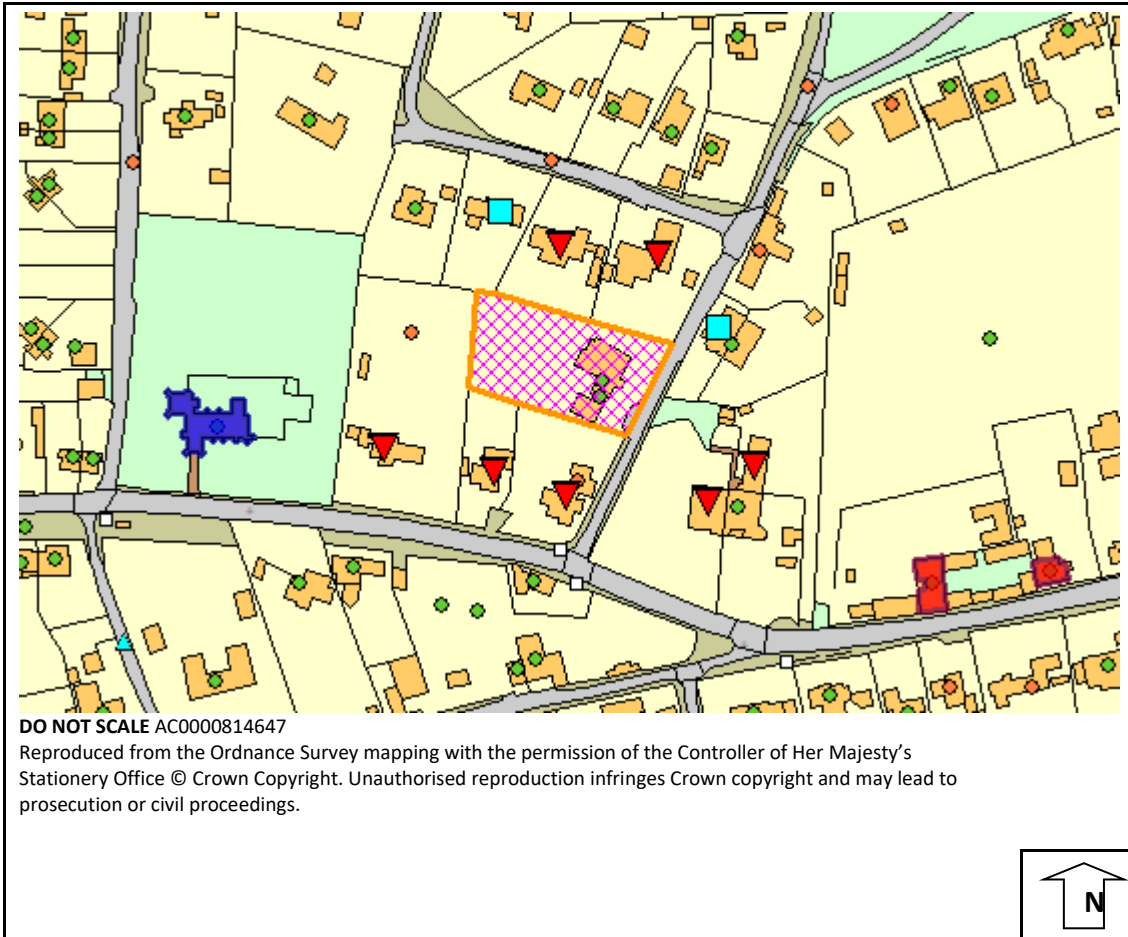
#### **Informatives:**

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/22/4893/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee North** - 12 September 2023

**Application no** DC/23/2151/FUL

**Location**

South Of Technical Centre  
Whapload Road  
Lowestoft  
Suffolk

**Expiry date** 23 August 2023

**Application type** Full Application

**Applicant** Birds Eye Limited

**Parish** Lowestoft

**Proposal** Installation of modular office system adjacent the South elevation of technical centre offices. (proposal required to accommodate personnel from an existing building which is been considered as a high risk to pedestrian safety).

**Case Officer** Katherine Rawlins  
01502 523018  
[Katherine.Rawlins@eastsoffolk.gov.uk](mailto:Katherine.Rawlins@eastsoffolk.gov.uk)



## 1. Summary

- 1.1 Permission is sought for the installation of a modular building adjacent to the south elevation of the Technical Centre Offices at the Birds Eye Factory, Whapload Road, Lowestoft.
- 1.2 The application has been assessed against relevant policies of the Development Plan and other material considerations and is recommended for approval.
- 1.3 This application is before the Planning Committee (North) as land within the application site is within the ownership of East Suffolk Council.

## 2. Site Description

- 2.1 The site is located within an industrial estate and the settlement boundary of Lowestoft and comprises a food processing plant located over a 26 acre site. The application site is situated on a grassed area to the south of the Technical Centre offices in the centre of the site. Whapload Road is located to the west.
- 2.2 The wider site area extending to land within the blue edge, incorporates large industrial buildings for food processing, parking for staff etc, and the site is enclosed by high perimeter fencing to the eastern boundary fronting Whapload Road. The site is located in an area of medium to high flood risk - Flood Zones 2 and 3.

## 3. Proposal

- 3.1 Permission is sought for the installation of a modular office building adjacent to the south elevation of the Technical Centre Offices at the Birds Eye Factory, Whapload Road, Lowestoft. The modular building would serve as offices for staff inductions.

## 4. Consultations/comments

- 4.1 No comments received.

### Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	13 July 2023	2 August 2023
Summary of comments: Recommend approval.		

## Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	13 July 2023	17 July 2023
Summary of comments: Notice is hereby given the County Council as Highway Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	13 July 2023	18 July 2023
Summary of comments: No comments.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 July 2023	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	13 July 2023	No response
Summary of comments:		

## 5. Publicity

5.1 The application has been subject to the following publicity:

General Site Notice

Reason for site notice: General Site Notice

Date posted: 24 July 2023

Expiry date: 14 August 2023

## 6. Planning policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states “*where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material*

*considerations indicate otherwise*". The Development Plan is the Adopted Waveney Local Plan (2019).

6.2 The following policies are considered relevant:

- 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)
- WLP8.12 - Existing Employment Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- National Planning Policy Framework 2021

## **7. Planning Considerations**

### Principle of Development

- 7.1 The modular building is required to decant new/temporary staff from an existing building located further to the east within the wider site area edged blue, to the rear of Denes 3 Packing, which is considered at higher risk of pedestrian safety, owing to its position closer to the main food processing plants.
- 7.2 The site is located within an Existing Employment Area as allocated by policy WLP8.12. This sets out that proposals for new employment development falling within use classes B1, B2 and B8 will be permitted within Existing Employment Areas. As the proposal would be linked to the existing factory site it is considered that the proposal is compliant with policies WLP8.12 and WLP8.13.
- 7.3 The principle of development is therefore acceptable in this location, in accordance with policies WLP1.2, WLP8.12 and WLP8.13 of the Local Plan.

### Design and Amenity

- 7.4 Policy WLP8.29 sets out that proposed development should respect the character, design and scale of the host building and character and appearance of the surrounding area and street scene. New development should also protect the amenity of the wider environment and neighbouring uses.
- 7.5 The modular building would measure 6.05 x 9.87 x 3 metres and have a total footprint of 59.3 sq metres. The exterior of the building would be constructed from walls of 60mm composite PU steel sheet in light grey (walls and fascia) with a 100mm mineral light grey composite roof, light grey uPVC windows with integral security shutters and light grey doors. No lighting is proposed, but the application states that flood lighting may be required upon installation. Access would be from the south elevation of the modular building, with a second opening on the east elevation.

- 7.6 The building is functional in form and design, being a modular office building. It would be centrally located within the wider 26-acre food processing plant, to the south of the Technical Centre building, in an area of incidental grass/landscaping. The proposed building would be a small scale structure viewed within the context of much larger industrial / food processing industrial buildings, with no visual impact from Whapload Road to the west, owing to the presence of high acoustic boundary fencing, 3 metres in height. The proposed siting of the building would therefore have no discernible visual impact on the Historic High Street and Scores Area (policy WLP2.9) located to the west of the site on the opposite side of Whapload Road.
- 7.7 There are residential and commercial buildings further to the east of the site, on the opposite side of Whapload Road, outside the wider application site boundary edged blue. Owing to the location of the proposed modular building within an industrial estate on a large food processing plant, and separation distance from neighbouring properties, there would be no impact on neighbouring amenity.
- 7.8 The proposal is therefore compliant with policy WLP8.29 in regard to design and amenity.

#### Contamination

- 7.9 Environmental Health officers have been consulted on this application, owing to the presence of contaminated land in the wider area, but no comments or objections are raised to this application.

#### Flood Risk

- 7.10 The application site is located in an area of medium to high flood risk (Flood Zones 2 and 3). Policy WLP8.24 is therefore relevant. This states that development proposals at risk of flooding (taking into account the impacts of climate change) should only be granted permission if there are no suitable alternative sites in areas of lower flood risk; the benefits in terms of sustainability outweigh the flood risk; and a site specific Flood Risk Assessment is submitted for all development located in Flood Zones 2 and 3, (and for development of 1ha or more in Flood Zone 1) which demonstrates that the site can satisfactorily mitigate over the lifetime of the development, to comply with paragraph 168 of the NPPF.
- 7.11 This particular area is identified as being located in Flood Zone 3a, and the proposed development is identified as being a less vulnerable land use (buildings used for professional and other services; general industry) under the Technical Flood Risk Guidance to the NPPF. Therefore, only where there are no reasonably available sites in Flood Zones 1 and 2 should the suitability of sites in Flood Zone 3a be considered. Within Flood Zone 3a, there is a 1% or greater annual probability of river flooding, or a 0.5% or greater annual probability of sea flooding.
- 7.12 New development is to take a sequential risk based approach to the location of new development by applying the sequential test and, if necessary, applying the exception test (para 161, NPPF). As the proposal is for a less vulnerable land use, application of the exception test is not necessary in this case (paragraph 163 of the NPPF; Table 3 of Flood Risk Vulnerability and Flood Zone compatibility). No sequential test is provided, but the wider site is located in a medium to high risk flood zone (with the exception of food

processing plants Denes 1 and 2); therefore, there are no other sites that are reasonably available in a lower flood risk category that are linked to the existing factory and food processing facility.

- 7.13 The applicant has submitted a supporting Flood Risk Assessment, which identifies that the wider site is affiliated to the Environment Agency 'Flood Risk Warning Service, with on-site flood defences include localised sand bagging availability and emergency flood evacuation plan, including emergency shut down procedures and personnel evacuation. Operations at the site are also stated as being under the control of the Environment Agency Operating Permit criteria (Birds Eye Lowestoft site permit - NP3333UU/004).
- 7.14 As this is a less vulnerable land use and there are no other reasonably available sites at lower risk of flooding in this case, the proposal is acceptable in flood risk terms, subject to compliance with the Environment Agency 'Flood Risk Warning Service, and emergency flood evacuation plan, including emergency shut down procedures and personnel evacuation, as detailed in the FRA. The proposal therefore complies with policy WLP8.24 of the Local Plan.

#### Parking and Access

- 7.15 The main vehicular entrance to the site is from Whapload Road with staff parking areas to the rear site perimeter, accessed via Wilde Street and Gasworks Road, and opposite the main food processing plant on the opposite side of Whapload Road (drawing no. AG-00-LA-0091-0002 01). Visitor parking is provided at the main entrance to the plant on Whapload Road. There is a secure pedestrian entrance with cycle parking located immediately to the west of the application site on the western site perimeter of Whapload Road, which would provide direct and safer access for new staff undergoing inductions.
- 7.16 The proposed modular building would have a floor area of 59.3 sq metres, which has a parking requirement for 2 spaces. As this application seeks to decant staff from existing office facilities of similar size at the food processing plant, there is no requirement to provide additional parking with this application. The Highways Authority is satisfied that the application would not have detrimental impact upon the adopted highway or highway safety. The proposal complies with policy WLP8.21 of the Adopted Waveney Local Plan 2019.

### **8. Conclusion**

- 8.1 The application would improve the day-to-day operation of the site by decanting new/temporary staff to an area with better pedestrian safety. The proposed design and scale of development is appropriate to the location with no wider adverse visual impact to the locality. There would be no significant impact on residential amenity and parking provision is adequate. Flood risk impacts are adequately mitigated by planning condition.

### **9. Recommendation**

- 9.1 That planning permission is APPROVED subject to the following 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 no's AG-00-LA-0091-0002 Site Location Plan, AG-00-LA-0091-0001 Proposed Block / Layout Plan, received 13 June 2023, 552360-004 Proposed Floorplans and Elevations, received 30 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. 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

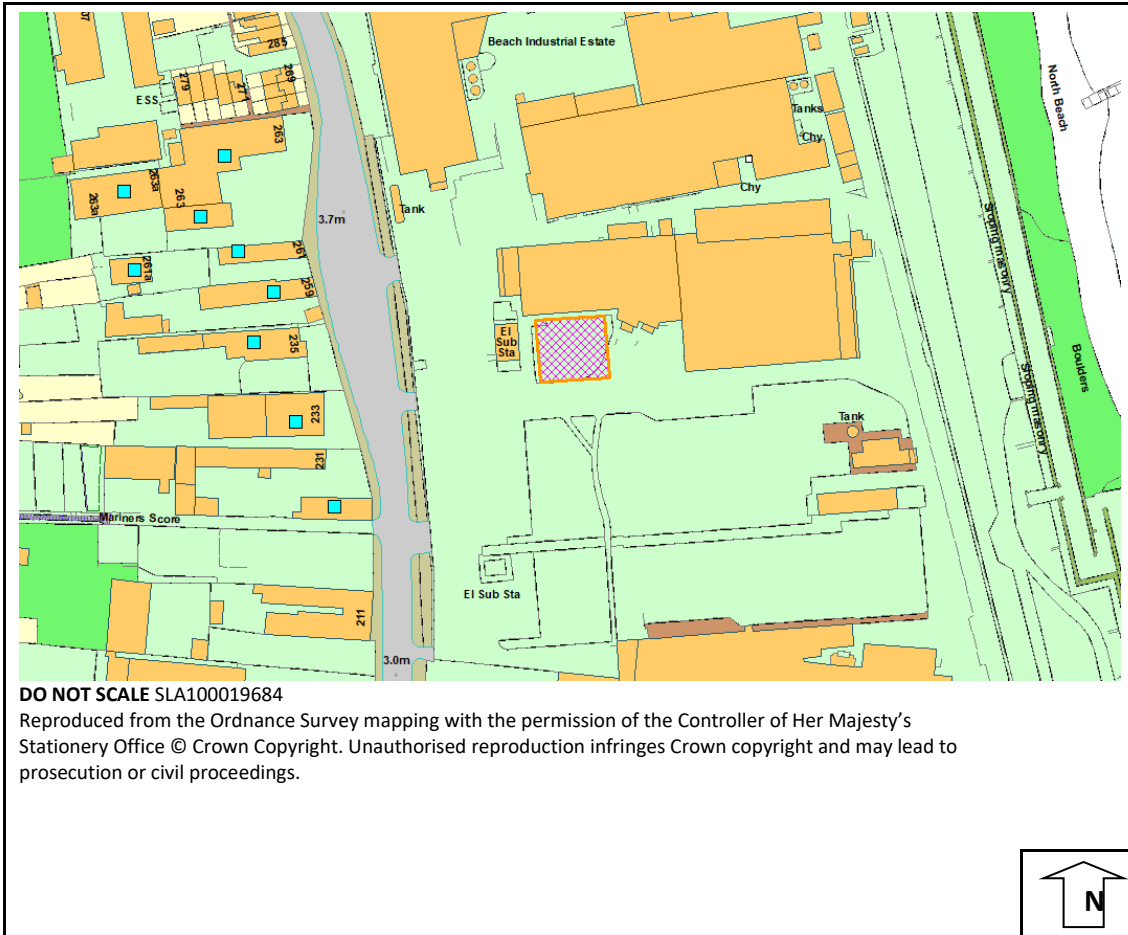
4. The development hereby permitted shall be undertaken in accordance with the submitted Flood Evacuation Procedures, Emergency Plan and Environment Agency Flood Risk Warning Service, as detailed in the submitted Flood Risk Assessment, received by the Local Planning Authority 30 May 2023 (Birds Eye Limited, dated 26 May 2023) and retained as such thereafter.

Reason: In order to mitigate the impacts from flooding and to ensure the development is safe for its lifetime.

**Background Papers**

See application reference DC/23/2151/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee North - 12 September 2023**

**Application no DC/23/2373/RG3**

**Location**

4 Langley Gardens

Lowestoft

Suffolk

NR33 9JE

**Expiry date** 18 August 2023  
**Application type** Deemed Council Development  
**Applicant** Housing, East Suffolk Council

**Parish** Lowestoft  
**Proposal** Proposed rear extension.

**Case Officer** Daniel Bailes  
01502 523022  
[daniel.bailes@eastsoffolk.gov.uk](mailto:daniel.bailes@eastsoffolk.gov.uk)



## 1. Summary

- 1.1 Planning permission is sought for a single storey rear extension. Officers consider that the proposal would not have an adverse impact on the character of the surrounding area or neighbour amenity. The proposal accords with the relevant policies of the Local Plan and the application is recommended for approval.
- 1.2 The application is being presented to Planning Committee due to the applicant being East Suffolk Council.

## 2. Site Description

- 2.1 The site is a single storey detached dwelling located in the settlement boundary of Lowestoft. Langley Gardens is characterised as a narrow road lined with single storey dwellings.

## 3. Proposal

- 3.1 The proposal is for a single storey rear extension. This would extend from the south-west elevation with a depth of 5.95m, width of 5.4m and would have a dual pitched roof with a maximum ridge height of 4.2m.
- 3.2 Planning permission was previously granted for a rear extension in 2020 (see ref. DC/20/0124/FUL), but this permission lapsed in May 2023. The proposal under consideration is largely the same form of development previously approved.

## 4. Consultees

### Third Party Representations

- 4.1 There have been no third-party representations received.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	4 July 2023	14 July 2023
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 13 July 2023. It was agreed to recommend approval of the application.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Estates Asset Management	4 July 2023	No response
Summary of comments: No comments received.		

### 5. Site Notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 11 July 2023

Expiry date: 1 August 2023

### 6. Planning Policy

- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- National Planning Policy Framework 2021

### 7. Planning Considerations

#### Design & Visual Amenity

7.1 The proposed extension would be constructed of matching brickwork, roof tiles and UPVC windows and doors. As the materials would be of a similar appearance to the existing dwelling, the design is considered to be respectful to the host dwelling. The extension would be proportionate in scale with a footprint that is not excessive and a ridge height that does not exceed that of the dwelling. The proposal would be sited in a reasonably sized rear garden and, when considering its scale, it is not deemed to be overdevelopment. It is therefore considered the design, materials and scale of the development is respectful to the dwelling and there would be no impact on the street scene.

#### Neighbour Amenity

7.2 The proposed extension would extend approximately 6m from the rear of the dwelling and would have a ridge height of 4.2m. When looking at the positioning of the extension, the west elevation would be situated 0.8m from the boundary and beyond this is the neighbouring dwelling of 2 Langley Gardens. The proposed extension would extend almost 3m further than the neighbour's extension and there would be a separation distance of 3m. When considering that there are no windows on the east facing elevation of the neighbour's extension and the good separation distance, it is considered that the proposal is unlikely to result in any significant loss of light to rooms in the neighbouring dwelling. Light would continue to be received to the neighbour's extension beyond the roof of the extension. There are windows proposed to the side elevations along with a single door to the rear elevation. As there are no neighbouring windows in direct view, it is deemed that there would be no loss of privacy from this single storey form of development

## **8. Conclusion**

- 8.1 All design and amenity matters have been considered and the proposal is deemed to accord with policy WLP8.29. There are no material considerations indicating for a decision other than approval.

## **9. Recommendation**

- 9.1 Approve.

## **10. Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, Elevations and Floor Plans (2542.19.1D); received 16/06/2023, 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.

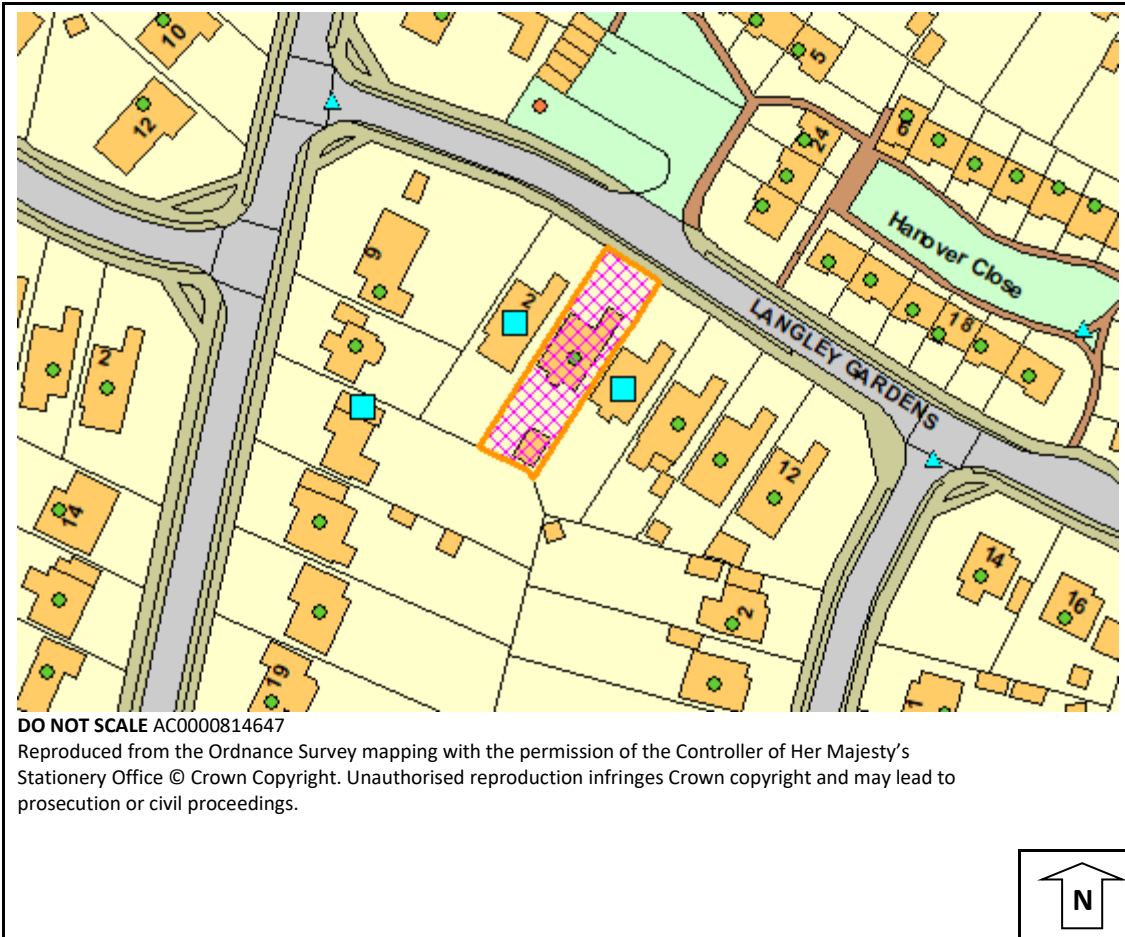
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

## **Background Papers**

See application reference DC/23/2373/RG3 on [Public Access](#)

## Map



### Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee North - 12 September 2023**

**Application no DC/23/2526/FUL**

**Location**

198 Waveney Drive

Lowestoft

Suffolk

NR33 OTR

**Expiry date** 23 August 2023

**Application type** Full Application

**Applicant** Mr Lee Pike

**Parish** Lowestoft

**Proposal** Single Storey Side Extension

**Case Officer** Daniel Bailes  
01502 523022

[daniel.bailes@eastsoffolk.gov.uk](mailto:daniel.bailes@eastsoffolk.gov.uk)

## 1. Summary

- 1.1 Planning permission is sought for a single storey side extension. Officers consider that the proposal would not have an adverse impact on the character of the surrounding area or neighbour amenity. The proposal accords with the relevant policies of the Local Plan and the application is recommended for approval.
- 1.2 The application is being presented to the Planning Committee (North) as the applicant is related to a member of staff.

## 2. Site Description

- 2.1 The site comprises a two-storey semi-detached dwelling located in the settlement boundary of Lowestoft. The surrounding area is characterised by semi-detached dwellings set back from the road with low brick walls along the front boundaries.

## 3. Proposal

- 3.1 The proposal is for a single storey side extension. This would extend from the west elevation with a width of 2.5m and a depth of 9.6m. There would be a flat roof with a height of 3m.

## 4. Consultees

### Third Party Representations

- 4.1 There have been no third-party representations received.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	4 July 2023	20 July 2023

*The Planning Committee of Lowestoft Town Council considered this application at a meeting on 13 July 2023 and it was agreed to recommend approval.*

## 5. Site Notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 21 July 2023

Expiry date: 11 August 2023

## 6. Planning Policy

- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- National Planning Policy Framework 2021

## **7. Planning Considerations**

### Design & Visual Amenity

- 7.1 The proposed extension would be constructed of rustic brickwork and white UPVC windows. As the materials would match the existing dwelling, the design is considered to be respectful to the host dwelling. The extension would be proportionate in scale as this would not extend beyond the existing front or rear elevations and the eaves height would be fairly low. There would be a large amount of amenity space retained therefore the proposal is not deemed to be overdevelopment. From the front elevation the parapet wall does give the extension some additional height that is not ideal, but overall, the extension is of an acceptable design and well related to the house. It is therefore considered that the design, materials, and scale are respectful to the character of the dwelling and the street scene in accordance with WLP8.29.

### Amenity

- 7.2 As the proposed extension would not project beyond the existing front or rear elevations, it is deemed that there would be no impact on amenity to the attached neighbour to the east. The west elevation would be situated along the boundary and beyond this is the neighbouring dwelling at 200 Waveney Drive. When considering that there would be a separation distance of 6m and that the extension would have a low eaves height of 3m, the proposal is deemed unlikely to result in any loss of light. The extension is also to the northeast of that neighbour, so any impact on light is likely to be limited to only morning winter sun; in any case, with the low overall height, that impact on light is to be very limited. It is slightly unfortunate that the extension is to be built-up to the side boundary of the site, but the overall scale of the development is low enough that the proposal will not be overbearing. Any access agreement for construction works is a civil matter and not a planning consideration. As there are no neighbouring windows in view of the front elevation and there is a separation distance of 45m to the nearest neighbours to the south, it is deemed that the proposal would not result in any loss of privacy.

### Parking Arrangements

- 7.3 The proposal would result in the creation of a fourth bedroom. There is a minimum requirement for three parking spaces to be provided for a four-bedroom dwelling as set out in Suffolk County Council's Parking Standards. As there is sufficient space for three vehicles to be parked at the front of the dwelling, the proposal is unlikely to result in inconsiderate parking on the highway. The proposal is acceptable in accordance with WLP8.21.

## **8. Conclusion**

- 8.1 All design and amenity matters have been considered and the proposal is deemed to accord with the Local Plan. There are no material considerations indicating for a decision other than approval.

## **9. Recommendation**

9.1 Approve.

## **10. Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan (568-02 Rev A) and Proposed Elevations, Floor Plans (568-01 Rev D) received 28/06/2023; 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.

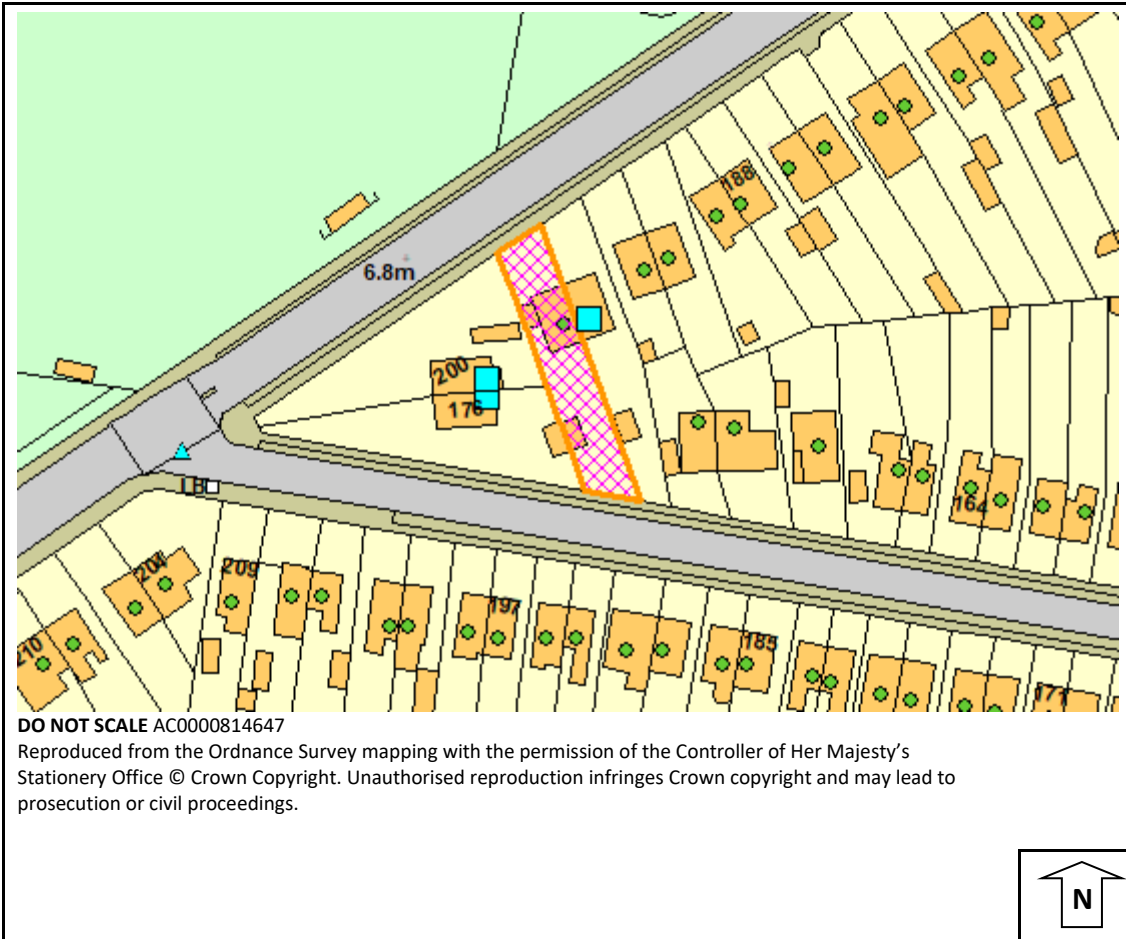
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

## **Background Papers**





See application reference DC/23/2526/FUL on [Public Access](#)



# Map



## Key

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