

**Unconfirmed**



Minutes of a Meeting of the **Strategic Planning Committee** held in the Deben Conference Room, East Suffolk House, Melton, on **Monday, 13 December 2021** at **10.30am**.

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Norman Brooks, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

**Other Members present:**

Councillor Peter Byatt

**Officers present:**

Caroline Clamp (Assistant Planner (Policy and Delivery)), Matt Makin (Democratic Services Officer), Andrea McMillan (Principal Planner (Policy and Delivery)), Adam Nicholls (Principal Planner (Policy and Delivery)), Bethany Rance (Graduate Town Planner - Energy Projects Planning Officer), Desi Reed (Planning Policy and Delivery Manager), Philip Ridley (Head of Planning and Coastal Management), Alli Stone (Democratic Services Officer), Ben Woolnough (Planning Development Manager)

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors Jenny Ceresa, Andree Gee and Mark Newton.

**2 Declarations of Interest**

No declarations of interest were made.

**3 Minutes**

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

**RESOLVED**

That the minutes of the meeting held on 4 October 2021 be agreed as a correct record and signed by the Chairman.

**4 Energy Projects Update**

The Committee received a presentation from Councillor Craig Rivett, Deputy Leader and Cabinet Member with responsibility for Economic Development, on current and forthcoming energy projects throughout East Suffolk.

Councillor Rivett outlined the status of the different projects either underway or planned for in East Suffolk; the Committee was advised that the examination of the Sizewell C Development Consent Order (DCO) application had closed on 14 October 2021 and a decision was due from the Secretary of State for Business, Energy and Industrial Strategy (BEIS) by 14 April 2022. Since the closure of the examination, community events on the project had continued to be held.

Councillor Rivett noted that the examinations for East Anglia One North and East Anglia Two Offshore Wind Farms had closed on 6 July 2021 and a decision was due from the Secretary of State for BEIS by 6 January 2022; the Secretary of State had sought additional information from statutory consultees and interested parties on flood risk, offshore ornithology, badgers, and key certified documents. Councillor Rivett highlighted to the Committee that the Secretary of State for BEIS had awarded a DCO to the Norfolk Boreas Offshore Wind Farm on 10 December 2021.

The Committee received summaries on the Nautilus and Eurolink Interconnectors, the Five Estuaries Offshore Wind Farm and the North Falls Offshore Wind Farm. Councillor Rivett spoke of the importance of co-ordination between the two wind farm projects.

Councillor Rivett outlined the Council's participation in recently concluded consultations on proposals for a Future Systems Operator Role, National Policy Statements, BEIS/Ofgem OTNR Enduring Regime and Multipurpose Interconnectors, and the National Infrastructure Planning Reform Programme. Councillor Rivett noted the ongoing consultations on the initial findings of Ofgem's Electricity Transmission Network Planning Review and the Offshore Transmission Network Review and how the Council was participating in these consultations.

The Chairman invited questions to Councillor Rivett.

Councillor Beavan queried the need for HDVC interconnectors and asked why HVAC interconnectors could not be transported. Councillor Rivett said he would seek clarification on this issue and provide an answer to Councillor Beavan in due course.

*Note: following the adjournment of the meeting at the conclusion of item 6 of the agenda, Councillor Rivett was able to clarify that the use of HDVC cables for interconnectors was proven to be more efficient for losses and required a much smaller number of cables than HVAC.*

## **5 Authority Monitoring Report 2020/21**

The Committee received report **ES/0967** of Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management, which summarised the Authority Monitoring Report for the period 1 April 2020 to 31 March 2021.

Councillor Ritchie introduced the report and considered the Authority Monitoring Report to be one of the most important pieces of planning work completed each year. Councillor Ritchie highlighted the officers integral to creating the report and noted that it principally reported on the two Local Plans in East Suffolk for the former Suffolk Coastal and Waveney District Council areas, providing a snapshot of what was happening in East Suffolk.

Councillor Ritchie said that this Authority Monitoring Report was the second to be produced for the whole of East Suffolk and was the first to demonstrate the impact of the COVID-19 pandemic on the delivery of the two Local Plans; Councillor Ritchie considered that the statistics within the report showed that the impact of the pandemic had not been as severe as expected.

The Committee's attention was drawn to information in the report on the proportion of open shops that were charity shops; the highest percentage was in Leiston (10%) and the lowest was in Halesworth (3%).

Councillor Ritchie invited the Principal Planners for the Planning Policy and Delivery Team to give a presentation on the Authority Monitoring Report.

The presentation noted the impact of the pandemic was that a number of information strands and conclusions were not as robust as normal, as the collection of data had been affected along with the closure of building sites during the first lockdown in 2020. Officers considered that the "bounceback" had been stronger than anticipated and housing delivery had not been impacted as much as it had been feared.

It was highlighted that draft Neighbourhood Plans had not been able to progress to referendum until May 2021. The Committee was advised that, overall, it was difficult to ascertain the long-term impact of the pandemic at this time.

The Committee was advised that Environmental Guidance Note, published in November 2020, had been well-received. The draft Sustainable Construction Supplementary Planning Document (SPD) was currently open to consultation and had been drafted to provide better guidance on how developers can meet the sustainable development policy requirements of both Local Plans. The consultation on the draft document was due to close at 5pm on 13 December 2021.

Officers noted that a second consultation on the draft Cycling and Walking Strategy was open, outlined the ongoing work with Great Yarmouth Borough Council, North Norfolk District Council and the Broads Authority on a Coastal Adaptation SPD, and highlighted that preliminary work had commenced on a Healthy Environment SPD.

The Committee was informed that no planning applications had been approved contrary to Environment Agency advice on flood risk in the monitoring period. A significant reduction of vehicle travel had also been noted in the period, due to the pandemic. Officers anticipated that the greater levels of home working seen were likely to be sustained.

Officers summarised the statistics on life expectancy, physical activity, obesity, anxiety, happiness and life satisfaction, noting that some of the changes might be at least partially due to the pandemic.

No new neighbourhood plans had been designated in the monitoring period and three Neighbourhood Plans - Bredfield, Kesgrave and Reydon - had completed their examinations and following referendums, had been made by the Council in May 2021.

The Committee was advised of minor changes to employment land commitments and consents; it was noted that the former BT building at Felixstowe had been demolished and the land would be used for employment purposes. Officers outlined the town centre vacancy rates across the district; it was highlighted that these rates could change further as the pandemic eases.

Officers acknowledged that there had been a drop in the housing completion rate, but levels in both Local Plan areas remained relatively healthy.

The Committee was given an overview on the national policy relating to housing land supply and how a Local Planning Authority's housing land supply was calculated, including what was and was not included in the housing land supply.

Officers confirmed that the housing land supply report had been published in October 2021; the former Suffolk Coastal District Council area had a 6.52-year housing land supply, the former Waveney District Council area had a 5.74-year housing land supply and that the calculation for East Suffolk was 6.17 years.

Officers outlined that the Environment Act was now in place and a requirement for biodiversity net gain was coming in from 2023. It was considered that air quality in the district was beginning to improve and the process to revoke the Woodbridge Air Quality Management Area had begun. The North Lowestoft Conservation Area was considered to be "at risk"; however, good work on the North Lowestoft and South Lowestoft Heritage Actions Zones was continuing.

The presentation concluded by setting out the intention to publish the Authority Monitoring Report by the end of 2021, with raw data being published via the Open Data Portal in early 2022.

The Chairman invited questions to Councillor Ritchie.

Councillor Blundell noted two major allocated sites in his own Ward that had not yet been developed and asked what work was being done to bring these sites forward. Councillor Ritchie said that he would pick up the specific site issues with Councillor Blundell outside of the meeting; he acknowledged that there was a mix of major allocated sites with and without extant planning permission and that officers were working closely with landowners to progress allocated sites without planning permission.

In response to a question from Councillor Bird on the low amount of affordable housing units, the Principal Planner advised that Local Plan policies set out the percentage of affordable housing that sites were required to deliver, but if it was

demonstrated that a lower percentage made the site viable then this could be agreed. The Principal Planner added that sites of ten or fewer dwellings were not required to deliver affordable housing. Officers assured the Committee that there was a robust process to challenge claims from developers to reduce affordable housing on the grounds of site viability.

Councillor Ritchie added that there was a lower percentage of affordable homes required in Lowestoft as the viability of sites was lower; he considered that there had been significant work to get the highest proportion of affordable housing across the district and highlighted that the Council had built its own housing in the monitoring period.

Councillor Beavan sought clarification on the Council's housebuilding targets in relation to the government's own targets, the rate of affordable homes being delivered compared to the national average, and how many sites exceeded the World Health Organisation's air quality limits. Councillor Beavan also expressed concern that affordable housing rates were being impacted by developers who were paying too much for land.

Councillor Ritchie invited the Council's Head of Planning and Coastal Management to address Councillor Beavan's questions. The Head of Planning and Coastal Management noted the well-known case law applicable to this situation and explained that officers did not simply accept viability assessments provided by developers; he highlighted that an independent viability assessment, at the expense of the developer, was required to ascertain if lowering the number of affordable homes was justified to ensure the site's viability and therefore its deliverability.

The affordable housing delivery of 19% in the monitoring period was considered by the Head of Planning and Coastal Management to be good and he highlighted that major sites were starting to come forward; he did not consider it necessary to increase the Council's target of delivering 916 houses per year, as established in the adopted Local Plans, as this was already a positive target to aim for. The Head of Planning and Coastal Management acknowledged that this target was not reached in the monitoring period but stated that officers regularly liaised with major housebuilders, who wanted to work with the Council as it had a positive attitude towards housing delivery.

In response to Councillor Beavan's question on air quality, the Principal Planner said that he would find out this information and report it back to Councillor Beavan after the meeting.

There being no further questions, the Chairman invited Councillor Ritchie to proposed the recommendations set out in the report.

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

## **RESOLVED**

1. That the East Suffolk Authority Monitoring Report covering the period 1 April 2020 to 31 March 2021 be published.

2. That authority be delegated to the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to make any necessary minor typographical or presentational changes to the document prior to formally publishing it.

## **6 Planning Policy and Delivery Update**

The Committee received report **ES/0968** of Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the key elements of the Planning Policy and Delivery Team's current work programme, including preparing Supplementary Planning Documents (SPDs), strategies on specific topics such as cycling and walking, the delivery of infrastructure to support growth through CIL collection and spend, Neighbourhood Plans and housing delivery.

Councillor Ritchie introduced the report and acknowledged that some of its subject matter overlapped with the previous report received by the Committee; he confirmed that this report gave a real-time update on work being undertaken. Councillor Ritchie invited the Planning Policy and Delivery Manager to address the Committee.

The Committee's attention was drawn to the four consultations currently underway, detailed in the report, and their current response rates:

- Draft Sustainable Construction SPD - 12 respondents making 29 comments;
- Draft Affordable Housing SPD - 11 respondents making 18 comments;
- Draft CIL Charging Schedule - 7 respondents making 16 comments; and
- Draft Cycling and Walking Strategy - 109 respondents making 188 comments.

The lower figures for some of the consultations were noted; the Committee was advised that response rates tended to increase significantly immediately before the closure of the consultation and that the draft Cycling and Walking Strategy reached a wider audience and therefore generated a higher response.

The Chairman invited questions to Councillor Ritchie.

Following a question from Councillor Ashdown, it was advised that the Draft Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan was likely to go to referendum around April/May 2022, following an officer review of the examination recommendations and completing all the necessary processes in a lead up to a referendum vote.

Councillor Beavan thanked officers for their assistance with the development of the Southwold, Reydon and Walberswick Neighbourhood Plans.

Councillor Bird noted the significant amount of construction happening in his own Ward and queried the shortage of building materials cited; Councillor Ritchie considered that the significant activity contributed to the ongoing materials shortage, which was related to supply chain issues and the wider national situation.

There being no further questions the Chairman sought a proposer and seconder for the recommendation set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Cooper it was by a unanimous vote

## **RESOLVED**

That the content of the report be noted.

*Following the conclusion of this item, the meeting was adjourned for a short break. The meeting was adjourned at 11.28am and was reconvened at 11.39am.*

## **7 Enforcement Performance Report - July to September 2021**

The Committee received report **ES/0969** of Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management, which provided information on the performance of the Enforcement section of the Development Management Team for the period July 2021 to September 2021.

Councillor Ritchie introduced the report and summarised the reasons for closure set out in paragraph 2.2 of the report; he noted that the majority of cases took 41+ days to close and officers were working to reduce this delay.

Councillor Ritchie noted that the Senior Enforcement Officer was present to assist with any questions on the report's contents.

The Chairman invited questions to Councillor Ritchie.

Councillor Brooks sought clarity on how the legal aspect of enforcement cases delayed their resolution. Councillor Ritchie explained that the delay was due to the legal process as a whole and not as a result of the Council's in-house legal team and invited the Senior Enforcement Officer to elaborate.

The Senior Enforcement Officer outlined that where the compliance period of an enforcement notice passed without compliance, the case was passed to the Council's legal team and a detailed process was followed according to the relevant legislation. The Senior Enforcement Officer highlighted the importance of following this process precisely, as any errors could result in further delays or even the requirement to issue a new enforcement notice.

In response to a question from Councillor Hedgley on appeals, the Senior Enforcement Officer confirmed that individuals could appeal an enforcement notice at each stage, and this added to the delays seen in some enforcement cases. Philip Ridley, the Council's Head of Planning and Coastal Management, confirmed that officer teams worked closely to progress enforcement cases as quickly as possible.

There being no further questions the Chairman sought a proposer and a seconder for the recommendation set out in the report.

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

## **RESOLVED**

That the content of the report be noted.

### **8 Planning Performance Report - July to September 2021**

The Committee received report **ES/0970** of Councillor David Ritchie, Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

Councillor Ritchie introduced the report and noted that although the Development Management Team was meeting national targets it was not meeting the Council's own stretched targets. Councillor Ritchie said that the Development Management Team was doing well but wanted to do better and highlighted the additional pressure brought by the large number of applications being dealt with. Councillor Ritchie encouraged Ward Members to liaise with case officers to better understand delays to individual applications.

There being no questions to Councillor Ritchie, he invited the Planning Development Manager to address the Committee on major sites within the district.

The Planning Development Manager referred to Appendix A to the report, which provided an update on all major allocated sites in East Suffolk; he explained that this update had developed from a request from the Planning Committee North to receive an update on the Woods Meadow site and considered it good practice to provide the Committee with regular updates on major sites.

The Planning Development Manager summarised the information on each site contained within Appendix A to the report; the Chairman invited questions on each site to the Planning Development Manager throughout the summary.

The Committee was advised that a report had recently been received by Suffolk County Council's Cabinet regarding developing the North Lowestoft Garden Village site, of which it was the landowner, through a joint venture.

In response to a question from Councillor Coulam, the Planning Development Manager advised that the development at Woods Meadow had reached the trigger point in the Section 106 agreement for the proposed North Lowestoft Community Centre to be developed. Members were advised that the Council's Assets Team was involved in the delivery of the community centre and there had been an expression of interest from the Church of England to run the centre.

The Planning Development Manager assured members of the Committee that officers would be liaising with the developer to ensure that all phases of the development come forward as planned.



Councillor Beavan queried if the Carlton Colville Neighbourhood Plan would be in place to ensure that the required number of affordable homes was included at Land South of The Street, Carlton Colville. The Planning Development Manager advised that the number of affordable homes was dictated by the relevant site allocation policy in the Local Plan and that any Neighbourhood Plan would address design expectations.

The Planning Development Manager highlighted that the draft Saxmundham Neighbourhood Plan would not cover the part of the South Saxmundham Garden Neighbourhood that would be located within the parish of Benhall; officers would be working with the developer to ensure consistency across the entire development.

Councillor McCallum sought an update on highway matters related to the Brightwell Lakes development. The Planning Development Manager noted that since the outline planning permission had been granted in 2018 the developer had worked closely with the Council and any issues had been resolved. The Planning Development Manager highlighted that a consultation had taken place in 2020 regarding wider highway improvements in the area, beyond what would be delivered by the Section 278 agreement for the Brightwell Lakes development, ahead of the Highways Authority submitting a funding bid for these wider improvements.

In response to a question from Councillor Yule, the Planning Development Manager considered that if the wider improvement funding was not made available, the Brightwell Lakes development would not adversely impact the A12 due to the improvements secured by the Section 278 agreement.

Councillor Deacon expressed concern that there had been no formal engagement regarding creating a masterplan for the North Felixstowe Garden Neighbourhood, noting that the first development for 560 homes was moving at pace. The Head of Planning and Coastal Management advised that he and the Planning Development Manager were liaising regularly with the landowner arm of the Council to ensure that a masterplan was put in place and expected work to begin on this in early 2022.

Following the conclusion of the Planning Development Manager's summary, Councillor Hedgley highlighted the significant work underway and asked if the Development Management Team was adequately resourced. The Head of Planning and Coastal Management considered that it was not at the present time but said this was also due to the impact of national issues such as the demand of new legislation. The Head of Planning and Coastal Management acknowledged that major sites drew heavily on the resources of the Development Management Team and considered that more resources were needed across the entire Planning Service to ensure that planned development comes forward.

There being no further questions the Chairman sought a proposer and seconder for the recommendation set out in the report.

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

**RESOLVED**

That the content of the report be noted

## **9 Appeals Performance Report - 20 September to 1 December 2021**

The Committee received report **ES/0971** of the Head of Planning and Coastal Management, which provided an update on the planning performance of the Development Management Team in terms of the quality and quantity of appeal decisions received from the Planning Inspectorate following refusal of planning permission by East Suffolk Council between 20 September and 1 December 2021.

Councillor Ritchie introduced the report and outlined that very few appeal decisions had been received in the period covered by the report.

Councillor Ritchie noted some factual errors at paragraph 2.6 of the report and invited the Planning Development Manager to clarify this information. The Committee was advised that of the four appeals for minor application two were dismissed (50%) and not nine, and the single appeal for a householder application had been dismissed rather than allowed.

The Chairman invited questions to Councillor Ritchie.

The Committee's attention was drawn to the summary of the appeal decisions contained within Appendix A to the report, which included any learning points and actions resulting from appeals decision. The Planning Development Manager referred specifically to the appeal decision at North Green Farm, Kelsale-cum-Carlton, which provided learning points regarding policy SCLP5.4 in the Suffolk Coastal Local Plan on clusters.

Councillor Ritchie considered the low number of appeal decisions allowed to be acceptable. The Planning Development Manager informed the Committee that several appeals had been submitted to the Planning Inspectorate recently and highlighted the significant delays at the Planning Inspectorate for written representation appeals coming forward.

The Committee was advised that the Planning Inspectorate had recently issued a communication stating that in light of the current COVID-19 situation informal and public inquiries would be held as fully virtual events; the Public Inquiry for Yarmouth Road, Melton scheduled for January 2022 would be fully virtual.

There being no further questions the Chairman sought a proposer and seconder for the recommendation set out in the report.

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

### **RESOLVED**

That the content of the report be noted.

**10 Strategic Planning Committee's Forward Work Programme**

The committee considered its Forward Work Programme.

It was confirmed that the annual review of the Planning Referral Panel process would be on the Committee's 2022/23 Forward Work Programme and that the Committee would continue to receive regular updates on energy projects in East Suffolk.

The meeting concluded at 12.32pm.

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Chairman