

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 27 April 2021** at **2:00 pm**

**Members of the Committee present:**

Councillor Melissa Allen, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

**Other Members present:**

Councillor Paul Ashdown, Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Maurice Cook, Councillor Linda Coulam, Councillor Mark Newton, Councillor Ed Thompson

**Officers present:**

Jamie Behling (Trainee Planner), Liz Beighton (Planning Manager), Helen Buckingham (Regulatory Consultant – Environmental Services & Port Health), Sarah Carter (Democratic Services Officer), Rachel Lambert (Planner - Major Sites), Matt Makin (Democratic Services Officer), Andrew Reynolds (Environment Protection Manager), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Natalie Webb (Senior Planner)

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**Announcements**

The Chairman opened the meeting and advised that she had amended the agenda order; item 11 would be heard after item 8 and before item 9.

**1 Apologies for Absence**

Apologies for absence were received from Councillor Tony Cooper; Councillor Mark Newton acted as his substitute.

**2 Declarations of Interest**

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in Item 13 of the agenda as a member of Felixstowe Town Council and as the Chairman of that authority's Planning and Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in Item 13 of the agenda as a member of Felixstowe Town Council.

Councillor Chris Blundell declared:

- a Local Non-Pecuniary Interest in item 11 of the agenda as both the Ward Member for Martlesham and as a member of Martlesham Parish Council
- a Local Non-Pecuniary Interest in item 15 of the agenda as the Ward Member for Purdis Farm

Councillor Tony Fryatt declared:

- a Local Non-Pecuniary Interest in items 6, 7 and 8 of the agenda as the owner of land abutting the application site
- a Local Non-Pecuniary Interest in item 15 of the agenda as a close relative was a near neighbour of the application site

Councillor Hedgley declared:

- a Local Non-Pecuniary Interest in items 6 and 8 of the agenda as the Ward Member for Little Bealings
- a Local Non-Pecuniary Interest in item 14 of the agenda as the Ward Member for Hasketon

Mr Philip Ridley, East Suffolk Council's Head of Planning and Coastal Management, declared that he was a near neighbour of the application site relating to item 15 of the agenda and advised that if still present at the meeting, he would leave for that item.

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

Councillor Melissa Allen declared that she had been lobbied on items 6, 7, 8 and 9 on the agenda; she had not responded to any lobbying.

Councillor Stuart Bird declared that he had been lobbied on items 6, 7, 8 and 9 on the agenda; he had not responded to any lobbying. Councillor Bird declared that he had also been lobbied via telephone on item 11 by the developer and had advised the caller that it would not be appropriate to enter into a conversation on the application, before ending the call.

Councillor Chris Blundell declared that he had been lobbied via email on item 11 on the agenda and had not responded.

Councillor Mike Deacon declared that he had been lobbied on items 6, 7, 8, 9 and 11 on the agenda; he had not responded to any lobbying beyond acknowledging receipt of correspondence.

Councillor Tony Fryatt declared that he had been lobbied on item 9 and had directed the individual to the relevant Ward Member.

Councillor Hedgley advised that he had been lobbied on items 6, 7 and 8 on the agenda; he had provided factual information on the planning process only.

Councillor Debbie McCallum declared that she had been lobbied on items 6, 7, 8 and 9 on the agenda; she had not responded to any lobbying.

Councillor Kay Yule declared that she had been lobbied on items 6, 7, 8 and 9 on the agenda; she had not responded to any lobbying.

### **4 Minutes RESOLVED**

That the Minutes of the Meeting held on 30 March 2021 be agreed as a correct record

and signed by the Chairman.

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

The Committee received report **ES/0736** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for the Council where enforcement action had been sanctioned under delegated powers up until 25 March 2021. At the time of the report's publication there were 13 such cases.

There being no questions to the officers, the Chairman moved to the recommendation to accept the report.

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

**RESOLVED**

That the report concerning Outstanding Enforcement matters up to 25 March 2021 be received and noted.

**6 DC/21/1010/VOC - Kesgrave Quarry, Main Road, Kesgrave**

The Committee received report **ES/0737** of the Head of Planning and Coastal Management, which related to planning application DC/21/1010/VOC.

The application was the first of three variation of condition applications relating to Sinks Pit (also known as Kesgrave Quarry) on the meeting's agenda for determination.

The application related to the area of land to the west and north-east of the large building used for large scale vehicle and plant hire, which located towards the centre of the former Kesgrave Quarry, also known as Sinks Pit.

The land which was the subject of this application had been granted planning permission to be used for additional parking and turning associated with the existing Headquarters Building under reference DC/15/5055/FUL. A copy of that planning permission was included as Appendix A to the report.

The application sought to vary condition 3 on Planning Permission, which limited activities and HGV movements to the hours of 7am and 7:30pm Monday to Friday and between 7am and 1pm on Saturdays.

The application had been referred to the Committee for determination by the Head of Planning and Coastal Management, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, due to the consideration of previous applications relating to this site at Planning Committee, and due to the level of public interest in the application and the associated variation of condition applications DC/21/1079/VOC and DC/21/1407/VOC.

The Committee received a presentation on the application from the Principal Planner, who was acting as the case officer.

The site's location was outlined, including its relationship to the two nearest residential dwellings and the distance between the site and these properties. The Principal Planner noted that the main access to the site was from Main Road, Kesgrave, but the application site itself fell wholly within the parish of Little Bealings.

The Committee was shown a map of the overall Sinks Pit site which demonstrated the application site and its relationship with the sites of the two other applications on the meeting's agenda.

The Principal Planner summarised the planning history on the site, including the extant planning consent; she outlined that the application, along with the two related applications on the agenda, sought to align the operating hours on the site.

An aerial photo was displayed that demonstrated the existing plant hire business with parking and turning area, the weighbridge and associated office, and the minerals and cement site.

The Principal Planner outlined the existing and proposed conditions, as detailed in the report, for the change of the Heavy Goods Vehicle (HGV) operating hours.

The Committee was shown photographs of the site displaying several different views of the weighbridge, the main building and the CEMEX plant.

The material planning considerations and key issues were summarised as being the extant planning permissions and other neighbouring uses, residential amenity and economic considerations.

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

The Chairman invited questions to the officers. It was noted that Mr Andrew Reynolds, the Council's Environmental Protection Manager, was also present to answer any questions.

The Principal Planner confirmed that the Environment Agency had been consulted on the application and had not made any adverse comments on it.

It was reiterated that the application, in concert with the other two applications on the meeting's agenda, sought to align the working hours on the site.

The Environmental Protection Manager advised that approximately 200 individual contacts had been received in relation to noise complaints on the site. Many of these cases were still being investigated and the Committee was advised of the process undertaken to make improvements on a site by the best practical means before commencing enforcement action.

In response to a question from a member of the Committee, the Environmental Protection Manager confirmed that he had observed the site during operation and agreed that the noise could be considered an intrusive source of annoyance to

neighbouring residents. It was noted that the Environment Agency controlled part of the Sinks Pit site to the east under the terms of its permit, which had conditions attached related to noise; the Environmental Protection Manager considered that these conditions were not always specific in terms of numerical noise levels.

The Head of Planning and Coastal Management explained to the Committee that noise concerns were one element of the application to be considered; he noted that the noise concerns were legitimate but compared this application to a previous one at Bawdsey Manor approved by the Committee, where on balance the noise concerns were considered acceptable.

The Head of Planning and Coastal Management advised the Committee that it needed to balance the noise concerns with the other elements of the application when determining the application.

The Principal Planner advised that the 5:30am proposed start time was required as goods were required to be delivered to sites at certain times. The Committee was advised that this application related solely to HGV movements in relation to the parking areas and not the hours of operation for the building.

Before moving to public speaking, the Chairman advised the Committee that the applicant's agent had been forced to withdraw from addressing the Committee at this meeting due to illness.

The Chairman invited Mr Dick Thornborrow, who objected to the application, to address the Committee.

Mr Thornborrow stated that he was representing Little Bealings residents, who were asking the Committee to defer or refuse it. Mr Thornborrow highlighted the excessive working hours applied for and noted that the residents already suffered from excessive noise and dust pollution at all hours of the day. Mr Thornborrow highlighted that the issues restricted residents from using their gardens and having visitors during the site's operating hours.

Mr Thornborrow considered that the additional working hours would impeded on the period of respite residents currently have from the noise and dust issues and make life even more unbearable. Mr Thornborrow highlighted the 6,000 complaints made to Suffolk County Council and East Suffolk Council (and the former Suffolk Coastal District Council) over the last five years; he highlighted that the Environment Agency had only recently taken any real notice of the site.

Residents had been told that studies were underway to reduce the noise and dust pollution but no action plan had been produced. Mr Thornborrow was not convinced that the Planning officers had taken into account the Council's own environmental standards when making its recommendation and urged the Committee to refuse the application.

The Chairman invited questions to Mr Thornborrow.

Mr Thornborrow reiterated that the 6,000 complaints he had referred to were made

over five years; 415 complaints had been made to either East Suffolk Council or its predecessor authority Suffolk Coastal District Council, and the remaining 5,585 had been made to Suffolk County Council.

Mr Thornborrow noted that his property was 200 metres from the centre of the pit.

The Chairman invited Councillor Ian Ransome, Chairman of Little Bealings Parish Council, to address the Committee.

Councillor Ransome highlighted that despite the business having a Kesgrave postcode, the application site was in the countryside.

Councillor Ransome cited policy SCLP4.3 of the Suffolk Coastal Local Plan, regarding the expansion and intensification of employment sites, considering that paragraph (d) of the policy applied and therefore the application should be refused as the potential adverse impacts of the development could not be successfully mitigated.

The Committee was advised by Councillor Ransome that it would hear from three different residents over the course of this application and the two others on the agenda about the negative impact of the site on residential amenity and wellbeing.

Councillor Ransome disagreed with the comments of the officers that the extension of the operating hours would not be a nuisance; he stated that noise pollution related to vehicles on the site was already a cause for complaint and this would only increase if the operating hours were expanded.

Councillor Ransome was disappointed that there was no comment from an enforcement perspective as the site would be operating in what is considered to be night-time hours. Councillor Ransome said he did not have faith that conditions would be enforced at a local level.

It was highlighted by Councillor Ransome that the Environment Agency, in December 2020, had informed residents that noise pollution from the site had been substantiated, and noted that the Council's Environmental Protection Team had recommended that the application had be refused. Councillor Ransome considered that this suggested the site was a statutory nuisance to local residents and stated that Little Bealings Parish Council had recommended hat the application be either refused or deferred until the Environmental Protection Team could work with the applicant to deliver the residential amenity that local residents deserve.

There being no questions to Councillor Ransome, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was Ward Member for Little Bealings, spoke at length on the application. The Member said he had been conflicted about the application and had listened to both the presentation and the comments from the objector and Little Bealings Parish Council before coming to a conclusion on the application.

The Member highlighted the high number of complaints about noise and dust pollution

and considered that not all of them would have been vexatious ones, but also did not want to limit a successful business. The Member was of the view that businesses have a duty of care towards their neighbours. The Member said he had heard the noise generated from the site and had concluded that it could be heard from neighbouring properties.

It was noted by the Member that the applicant had expressed a desire to install noise attenuation solutions on the site but considered that this should be done before the application was approved. The Member was of the view that should the scheme be approved it would, on balance, make things worse for residents and could therefore not support the application. The Member concluded that he hoped a compromise between the applicant and neighbours could be reached as soon as possible.

Another member of the Committee, who was also Ward Member for Little Bealings, said he was struck by both the lack of mitigation for noise issues both on the site as it existed and in this new application and suggested that such mitigation should form part of this development.

A member of the Committee said that there was a need to weigh up the competing planning consideration. The Member noted the presumption in favour of development and economic benefits of the site, and that the site had been in operation since 1951, but added that the use of the site had intensified in that time.

The Member considered the number of noise complaints generated by the site to be significant and noted that the Committee was now being asked to further intensify the use of the site. The Member considered the Head of Planning and Coastal Management's comparison of the application with the one at Bawdsey Manor to be erroneous as it was for a different type of use on the site. The Member concluded that, on balance, he considered the application to be contrary to policies SCLP4.3 (paragraph (d)) and SCLP11.1 of the Local Plan and would not be voting in favour of the application.

Another member of the Committee, who was also Ward Member for Martlesham, spoke about the impact of the application on the section of the A12 that ran through his Ward; he highlighted this section of the road already generated noise complaints and to add further vehicle movements in the early hours would be inappropriate.

*The meeting was adjourned at 3pm to allow the Chairman to seek advice from the Head of Planning and Coastal Management and the Planning Manager. The meeting was reconvened at 3.08am.*

The Chairman invited the Head of Planning and Coastal Management to summarise the advice given during the adjournment.

The Head of Planning and Coastal Management explained that the Chairman had sought advice about what area of the Sinks Pit the noise complaints related to and he had advised that the majority related to the area of the site under the authority of Suffolk County Council and highlighted that if the application was refused on the grounds of excessive noise, without the applicant or their agent here to state their case, the decision could be subject to challenge at appeal.

The Head of Planning and Coastal Management stated that he had advised the Chairman that the application, as well as the two others on the agenda related to the Sinks Pit site, be deferred to allow the Committee to visit the site in order to fully understand all matters on the site and its surroundings prior to making a decision.

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

**RESOLVED**

That the application be **DEFERRED** to allow the Committee to visit the site in order to fully understand all matters on the site and its surroundings prior to making a decision.

**7 DC/21/1079/VOC - Kesgrave Quarry, Sinks Pit, Kesgrave, IP5 2PE**

The Committee received report **ES/0738** of the Head of Planning and Coastal Management, which related to planning application DC/21/1079/VOC.

The application was the second of three variation of condition applications relating to Sinks Pit (also known as Kesgrave Quarry) on the Agenda for determination.

The application sought to vary the conditions relating to hours of activity of Planning Permission DC/19/2666/FUL (copy included as Appendix A), which is yet to be implemented but relates to land towards the western end of the pit and was granted for *"Construction of 2 No. new buildings and use of land for vehicle and plant hire operator(s) comprising offices, workshops, associated parking, drainage infrastructure etc to allow for the hire, storage, sale, maintenance and servicing of vehicles, plant, machinery and equipment."*

The application had been referred to the Committee for determination by the Head of Planning and Coastal Management, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, due to the consideration of previous applications relating to this site at Planning Committee, and due to the level of public interest in the application and the associated variation of condition applications DC/21/1079/VOC and DC/21/1407/VOC.

Prior to receiving any presentation, it was proposed by Councillor McCallum that the application be deferred to allow the Committee to visit the site in order to fully understand all matters on the site and its surrounding prior to making a decision.

On the proposition of Councillor McCallum, seconded by Councillor Allen it was by unanimous vote

**RESOLVED**

That the application be **DEFERRED** to allow the Committee to visit the site in order to fully understand all matters on the site and its surroundings prior to making a decision.

**8 DC/21/1471/VOC - Sinks Gravel Pit, Main Road, Kesgrave, IP5 2PE**

The Committee received report **ES/0739** of the Head of Planning and Coastal Management, which related to planning application DC/21/1471/VOC.



The application was the third of three variation of condition applications relating to Sinks Pit (also known as Kesgrave Quarry) on the Agenda for determination.

The application related to the existing Headquarters Building and associated land, which were used for large scale vehicle and plant hire, and associated activities towards the centre of the former Kesgrave Quarry, also known as Sinks Pit. The plant hire building and associated land was granted planning permission under reference DC/15/4908/FUL as a revised scheme to DC/15/2107/FUL and DC/14/4251/FUL. The application sought to vary conditions 4 and 22 of Planning Permission DC/15/4908/FUL.

The application had been referred to the Committee for determination by the Head of Planning and Coastal Management, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, due to the consideration of previous applications relating to the site at Planning Committee, and due to the level of public interest in this application and the associated variation of condition applications DC/21/1079/VOC and DC/21/1407/VOC.

Prior to receiving any presentation, it was proposed by Councillor McCallum that the application be deferred to allow the Committee to visit the site in order to fully understand all matters on the site and its surrounding prior to making a decision.

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

#### **RESOLVED**

That the application be **DEFERRED** to allow the Committee to visit the site in order to fully understand all matters on the site and its surroundings prior to making a decision.

#### **11 DC/20/1036/FUL - Land East and South of The Square, Martlesham Heath, Martlesham**

The Committee received report **ES/0742** of the Head of Planning and Coastal Management, which related to planning application DC/20/1036/FUL.

The application sought approval for the construction of 41 retirement apartments for the elderly, a new public car park, access, landscaping and ancillary development at land east and south of The Square, Martlesham Heath.

In accordance with the Scheme of Delegation, as set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had requested that the application be determined by the Committee due to the significance of public interest in the proposal.

The Committee received a presentation on the application from the Planner, who was acting as the case officer.

The site location was outlined; the site was accessed off Eagle Way and measured 0.74 hectares. The site was located to the eastern extent of the village centre and the core of the site currently served as a car park, with green space to the east and area of hardstanding (a former runway) to the south west. The site was located within close

proximity to the existing commercial and community services within The Square.

The Planner noted that the existing car park within the application site had approximately 69 spaces and that two other car parks were located to the north and the west of the village centre. The area to be protected from development, as set out in the Martlesham Neighbourhood Plan, was located to the east of the site.

The Committee was shown the site layout plan and the proposed floor plans. The floor plans demonstrated the mix of housing units proposed.

The proposed elevations were displayed to the Committee.

The Planner demonstrated that 25 car parking spaces would be associated with the development and highlighted that Suffolk County Council, as the Highways Authority, had raised no concerns with this level of provision.

Secure private amenity space would be provided for residents and a number of the units would benefit from balconies.

A cycleway was proposed along Eagle Way, which would link into the wider cycle network in the area.

The Planner confirmed that the majority of the protected area, as well as all associated protected trees, would be retained.

An indicative layout of the former runway, which would be used for car parking, was displayed. The Committee was advised that the applicant had made significant changes to this layout following consultation. The former runway was noted to be a Non-Designated Heritage Asset.

Videos of the site, including the car park within the application site, were displayed to the Committee.

Various photos looking in and out of the site, and its surroundings, were shown to the Committee.

The Planner displayed images submitted by Martlesham Parish Council to highlight the importance of allowing for access onto and across the green. The Planner explained that wider pedestrian improvements could be delivered through the Neighbourhood Community Infrastructure Levy (CIL) that would be received from the development; if planning permission was granted Martlesham Parish Council would receive approximately £98,328.21 in CIL funding.

The Committee was advised that overall, the proposal was considered by officers to be a sustainable form of development that would meet the growing needs of an ageing population. The Planner stated that policy MAR5 of the Martlesham Neighbourhood Plan identified a need for such properties and this was supported by national planning policy guidance.

It was considered by officers that a number of significant concerns previously raised by

statutory consultees had since been adequately addressed by the applicant through design changes and any respective concerns could be mitigated by a number of the conditions proposed in the recommendation.

The Planner said that the prominence of the proposed design and the reconfiguration of the immediate area would not cause any adverse impacts to the character of the area, residential amenity, non-designated heritage assets, or result in subsequent pressure on the local healthcare facility. The Committee was advised that potential impacts upon facilities and public services could be suitably mitigated through CIL funding.

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

The Chairman invited questions to the officers.

It was confirmed that the details of the cycleway would be agreed at a later stage but would link into the existing network that continued across the A12.

The Planner confirmed that the footprint of the development only marginally intruded into the area to be protected from development in the Martlesham Neighbourhood Plan.

A member of the Committee, who was also Ward Member for Martlesham and a member of Martlesham Parish Council, expressed concern that the application would result in the loss of a much valued area of land used by the community and proposed a site visit in order for the Committee to fully understand all matters on the site and its surroundings prior to making a decision.

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

## **RESOLVED**

That the application be **DEFERRED** to allow the Committee to visit the site in order to fully understand all matters on the site and its surroundings prior to making a decision.

### **9 DC/20/5019/FUL - Land Opposite the Village Hall to the West of the B1116, Framlingham Road, Dennington, IP13 8AD**

The Committee received report **ES/0740** of the Head of Planning and Coastal Management, which related to planning application DC/20/5019/FUL.

The application sought the use of land opposite the Village Hall (western side of the B1116), Framlingham Road, Dennington for the siting of a 'mock-barn' style building for use as a Nursery School and Day Care Facility [Use Class E(f)] for provision of the relocation of Badingham Playschool from its existing location at Badingham Village Hall.

The application had been referred to the Committee for determination in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution as the application was, in the opinion of the Head of Planning and Coastal Management, of

significant public interest.

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

The site's location was set out. The Senior Planner demonstrated the site's relationship to neighbouring Grade II listed dwellings and the Grade I listed church to the north, as well as parish allotments and the village of Dennington itself. The Committee was advised that the site was deemed to be in the countryside for planning purposes, but abutted the village settlement boundary.

The existing block plan was displayed, and the Committee received an aerial photograph of the site.

A map highlighting the location of the nearby listed buildings was displayed; the comments received from both Historic England and the Council's Design and Conservation Officer suggested that the harm that would be caused by the development to be low to the existing buildings and medium to low to the conservation area.

The Senior Planner highlighted that the site was allocated for development in policy SCLP12.49 of the Suffolk Coastal Local Plan.

A wider context block plan, proposed block plan and floor plan were displayed to the Committee. The Committee was also shown the proposed elevations and landscaping.

A video of the site, taken from the southern end, was played to the Committee.

Various photos looking in and out of the site, and its surroundings, were shown to the Committee.

The material planning considerations and key issues were summarised as the principle of development, the impact on heritage assets, the impact on the Dennington Conservation Area, the impact on the landscape, highways safety, and residential amenity.

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

The Chairman invited questions to the officers.

In response to a question on the lack of detail regarding the external finishing, the Senior Planner confirmed that there was a proposed condition to require the submission of these details before development took place.

The Senior Planner noted that the majority of representations in favour of the application came from the immediate area surrounding Dennington, with a few from further afield. Objections to the application had been received from dwellings neighbouring the application site.

The Chairman invited Geraldine Schofield, who objected to the application, to address the Committee.

Ms Schofield queried the reasons for locating such a development within a conservation area and asked who would benefit from it and how it would be funded. Ms Schofield stated that the site was not opposite the Village Hall and the land was not a paddock but was arable farming land opposite the old rectory.

Ms Schofield highlighted that the development would serve 50 under-five children and although a modular design was proposed, she considered that there was no real indication on what the structure would be. Ms Schofield was of the view that the access visibility splay was not sufficient and lighting on the site would be intrusive; she added that there was no indication on how the building would be heated or powered.

It was Ms Schofield's view that the building would not enhance the character or appearance of the area. Ms Schofield stated that the building would have no public transport links, no pedestrian access and would be an isolated site; she queried how people would be able to walk to the site using a pushchair and was of the view that traffic in the area would increase as people used cars to access the site.

Ms Schofield added that the site was at the opposite end of the village to the local primary school and that the children accessing the early years provision would not be coming from Dennington or Badingham.

There being no questions to Ms Schofield the Chairman invited Michele Cole, the applicant, to address the Committee.

Ms Cole outlined the history of the playschool charity behind the Nursery School and how it had risen to meet the challenges of the increased regulations of early years provision. The Nursery School had received an 'Outstanding' rating from Ofsted and had received multiple awards for its work, meeting the quotas set by Suffolk County Council and providing flexible arrangements for working parents.

Ms Cole stressed that the Nursery School now needed a dedicated building to continue and had received incredible support from the community, including residents who had benefitted from the Nursery School's services in the past. Ms Cole quoted the Duchess of Cambridge's comments on the importance of early years provision and noted that such provision was about preparing the next generation of adults to influence what society would become.

The COVID-19 pandemic had highlighted importance of the provision offered by the Nursery School and Ms Cole noted that a dedicated staff meant families had continued to join despite a less than ideal set up. Ms Cole acknowledged the concerns about the location of the site in the Dennington Conservation area but considered it an opportunity to teach children about the beauty of the countryside, which would encourage them to value it as adults.

Ms Cole concluded by saying that the site would be at the heart of the village and would enable closer links with the local primary school.

The Chairman invited questions to Ms Cole.

Ms Cole confirmed that several sites had been investigated over the last two years and that advice had been received from Planning officers that the site should be located in the community the Nursery School served, which limited the sites that could be considered. Ms Cole noted that the setting had been approached by the Dennington Village Hall Committee and the landowners and the site had been highlighted as the most suitable one available.

Ms Cole said that the number of children attending the Nursery School from outside of Dennington fluctuated year on year; some children came from outside of the village and a number had siblings attending the local primary school.

The Chairman invited Councillor Maurice Cook, Ward Member for Dennington, to address the Committee.

Councillor Cook declared that he had no interests in the application, and that although he had been lobbied on it he had only replied to acknowledge receipt of correspondence. Councillor Cook considered that the building would provide permanent accommodation for the Nursery School, which had been rated 'Outstanding' by Ofsted and provided an excellent service to the village of Dennington and the wider community.

Councillor Cook noted that the Nursery School had been required to leave the Village Hall and use a local scout hall, which had impacted on the service it could provide. Councillor Cook stated that there was significant support for the application from local communities in the area; he acknowledged the objections to the application but considered it had been sensitively made and limited detriment to other site lines.

Councillor Cook supported the approval of what he considered to be a much needed facility and noted that the County Councillor for the Framlingham Division, Councillor Stephen Burroughes, also supported the application.

There being no questions to Councillor Cook, the Chairman invited the Committee to debate the application that was before it.

Several members of the Committee spoke in support of the application, noting that its benefits far outweighed its disadvantages and that it would provide a much needed early years provision in the area.

Another member of the Committee urged a note of caution and said that, although he was not against the application or the principle of development, he was concerned about the lack of specific details on materials and finish, particularly as the application site was located within a Conservation Area. The Member asked how the application could be approved without such detail and still protect the Conservation Area.

In reply, the Planning Manager stated that it was not uncommon for planning permissions to attached conditions relating to materials and finish, to allow for any minor changes during the three-year time limit to discharge the permission. The Planning Manager assured the Committee that any materials would need to be

submitted and approved through a discharge of conditions application, noting that if the Committee so wished any such application could be brought before the Chairman and Vice-Chairman for final approval.

A member of the Committee, in support of the application, queried if a condition could be attached to limit the building's use as a community asset. The Planning Manager advised that this was not possible and that planning conditions could not pre-empt future use of a site. If a subsequent application for a change of use was made the Planning Manager advised that it would need to be considered under relevant policies at the time it was made.

There being no further debate the Chairman moved to the recommendation approve the application, as set out in the report.

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

### **RESOLVED**

That the application be **APPROVED** subject to the imposition of appropriate conditions, as listed below:

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

*Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's BPS/238/A1/05C, BPS/238/A1/04B, BPS/238/A1/01B and the Landscape Plan (August 2020) received 08/12/2020.

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

3. No development shall commence until details of the roof, wall materials and finishes to be used have been submitted to and approved by the local planning authority.

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

4. Prior to the installation of any fenestration of the hereby approved development, details of materials, finishes, method of opening, glazing and colour of all new or replacement windows, roof lights and doors and their surrounds to be installed shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.

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

5. Within three month(s) of commencement of development, precise details of a

scheme of hard landscape works (which shall include boundary treatment (proposed fencing), driveway construction, parking areas, patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

*Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.*

6. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

*Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.*

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

8. No removal of hedgerows, trees or shrubs 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.*

9. Prior to any above ground works taking place, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and



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

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

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

*Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.*

11. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number BPS/238/A1/05 C Rev. C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

12. The use shall not commence until the area(s) within the site on dwg. no. BPS/238/A1/05 C Rev. C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.*

13. Before the access is first used visibility splays shall be provided as shown on Drawing No. BPS/238/A1/05 c Rev. C 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 over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.*

14. The working hours in connection with the use/buildings hereby permitted, shall not be other than between 08:00am and 18:00pm Monday to Friday; and no work shall be carried out on Saturdays, Sundays, or Bank Holidays, or outside the specified hours, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of amenity and the protection of the local environment.*

15. No more than 50 children shall attend the nursery school/day care facility during any morning or afternoon session unless otherwise agreed in writing with the Local Planning Authority.

*Reason: In the interests of the protection of the residential amenity of the surrounding area and in the interests of highway safety.*

16. The premises herein referred to, shall be used as a nursery school/day care and for no other purpose (including any other purpose in Class E(f) of the Schedule to the Town and Country Planning [Use Classes] Order 2020 or any Order revoking and re-enacting that Order with or without modification).

*Reason: In order that the Local Planning Authority may retain control over this development/site in the interests of amenity and the protection of the local environment.*

17. Prior to the installation of air source heat pumps, air conditioning, extract ventilation, refrigeration or any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved from thereafter.

*Reason: In the interests of residential amenity and protection of the local environment.*

18. No mezzanine, entresol or additional floors shall be inserted within the hereby permitted building, except pursuant to the grant of planning permission on an application made in that regard.

*Reason: To prevent intensification of use that may result in detrimental impact on nearby residential amenity and highways safety due to potential increase in traffic.*

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

a) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary 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).

b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed). All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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

20. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to: - details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures; - an explanation, including justification, for the selection of the proposed remediation methodology(ies); - proposed remediation objectives and remediation criteria; and - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring. The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

21. Prior to any occupation or use of the approved development the RMS approved under condition 20 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

22. 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 any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act

1990.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

24. Prior to the first use, a Noise Management Plan (NMP) shall be submitted to the local planning authority for approval. The NMP shall set out controls to minimise noise from outdoor play, and from vehicles associated with drop-off and pick-up, and include procedures for recording and dealing with any noise complaints that may arise.

*Reason: In the interests of residential amenity and protection of the local environment.*

Informatives:

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

2. 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).

3. Note: 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 the County Council or its agents at the applicant's expense.

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: <http://www.suffolk.gov.uk/environment-andtransport/highways/dropped-kerbs-vehicular-accesses/>.

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.

4. The construction of the access appears to affect a drainage ditch along the boundary of the site which may require Land Drainage Consent from Suffolk County Council. The applicant is advised to contact Suffolk County Council's Flood and Water Management Team prior to commencing works for the access.

#### **10 DC/20/4106/FUL - Stables and Manege, Mill Road, Badingham**

The Committee received report **ES/0741** of the Head of Planning and Coastal Management, which related to planning application DC/20/4106/FUL.

The application sought planning permission for the development of three detached on a 0.03 hectare parcel (paddock) of land at Mill Road in Badingham.

The application was referred to the Committee at the request of the Referral Panel at its meeting on 6 April 2021 to enable the consideration of all issues presented by Badingham Parish Council to be heard by Members.

The Committee received a presentation on the application from the Planning Manager, who was acting as the case officer.

The site's location was outlined, and the Committee was shown its relationship to the settlement boundary of Badingham. The Planning Manager noted that policy SCLP5.4 of the Suffolk Coastal Local Plan, relating to housing in clusters in the countryside, applied to this proposal.

An aerial view of the site was displayed to the Committee. The Planning Manager explained that SCLP5.4 allowed development in the countryside in this instance as it consisted of infilling within a clearly identifiable gap within an existing cluster.

The site block plan was outlined and the Committee was advised that there would be some removal of hedgerow to ensure sufficient visibility splays for the site access; the Planning Manager confirmed that a condition would be attached to replace this hedgerow elsewhere and that the Council's ecologist had confirmed that this mitigation would enhance the area over time. The Planning Manager added that the appropriate licences had been obtained from Natural England and the RAMS payment had been made.

Various photographs of the site were displayed to the Committee.

The proposed layout was displayed. The Planning Manager stated that there was no policy requirement to set the housing mix on fewer than four units in a cluster.

The proposed streetscene was shown to the Committee and the height of the proposed buildings was compared to the existing dwellings.

Proposed elevations and floor plans for all the plots were highlighted to the Committee.

The main issues and key planning considerations were summarised as the principle of development (the application of SCLP5.4), ecological issues, design and residential amenity, and highways considerations.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Planning Manager confirmed the proposed design and reiterated the details of the fenestration, which would be in keeping with the rural area.

The Committee was advised that the proposed development was not considered to be cramped as defined in SCLP5.4.

The Chairman invited Mr Wells, agent for the applicant, to address the Committee.

Mr Wells considered that the Planning Manager had covered all the key points in her presentation; he highlighted that changes had been made to the proposals following the pre-application stage, particularly around design and the cluster policy.

Mr Wells considered that the application was the type that SCLP5.4 existed to allow; the site was a short distance from Badingham but was within a large cluster of dwellings in the countryside.

The Committee was advised by Mr Wells that the applicant had come up with a traditional design in keeping with the area and appropriate for the location. Mr Wells said that a condition regarding the submission of details was expected and that the development would use high quality materials.

There being no questions to Mr Wells, the Chairman invited the Committee to debate the application that was before it.

There being no debate on the application the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

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

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management once the RAMS contribution has been received and subject to the following conditions:

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

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

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

PW968\_PL01 Rev D - Site Plan and Streetscene  
PW968\_PL02 Rev D - Proposed Block Plan  
PW968\_PL03 Rev A - Plot 1 Plans and Elevations  
PW968\_PL04 Rev A - Plot 2 Plans and Elevations  
PW968\_PL03 Rev B - Plot 3 Plans and Elevations

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

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

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

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

4. 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) and the National Planning Policy Framework (2019).*

5. 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 4 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).*

6. Before the access is first used visibility splays shall be provided as shown on Drawing No.PW968\_PL02 Rev. D and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.*

7. The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM01 and with an entrance width of 4.5m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.



*Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.*

8. The use shall not commence until the area(s) within the site shown on Drawing No.PW968\_PL02 Rev. D 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 in order 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.*

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

10. Prior to the demolition of the stable block, an asbestos survey shall be undertaken and submitted to the local planning authority for formal approval. The subsequent demolition should be undertaken by a accredited/certified contractor.

*Reason: To ensure appropriate demolition in the interests of safe disposal of any asbestos.*

11. Prior to the commencement of the development hereby approved, the applicant shall submit for approval a scheme for the detailed planting within the site, including the proposed frontage hedgerow. The details submitted are to include the details of the wider biodiversity proposals including a management plan to secure the required biodiversity net gain.

Any trees or landscaping approved, which dies within the first five years, shall be replanted in the first available window.

*Reason: To secure landscape and biodiversity net gain across the site.*

Informatives:

1. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk).

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action. CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5).

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

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 <https://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering> or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk).

4. It is an OFFENCE to carry out works within the public highway, which includes a

Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority.

Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/0>.

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

**12 DC/21/0311/FUL - Land East of 5 and 6 St Marys Way, Westerfield, IP6 9BQ**

The Committee received report **ES/0743** of the Head of Planning and Coastal Management, which related to planning application DC/21/0311/FUL.

The application sought the erection of one dwelling on land east of 5 and 6 St Marys Way, Westerfield. The application had been referred to the Committee for determination by the Head of Planning and Coastal Management, in accordance with the Scheme of Delegation set out in East Suffolk Council Constitution, as the application was contrary to the policies within the Development Framework.

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

The site's location was outlined, and the Committee was shown an existing block plan which highlighted the existing contours of the site towards its access point.

The Senior Planner compared the extant block plan to the proposed block plan, and also displayed the site context plan which detailed the five dwellings that had been allowed on the site on appeal.

The proposed elevations were displayed, along with the proposed and approved floor plans.

The approved and proposed streetscenes were compared.

The Senior Planner detailed the proposed condition related to landscaping.

Various photos looking in and out of the site, and its surroundings, were shown to the Committee.

The material planning considerations and key issues were summarised as whether the amendments to the previously permitted scheme were acceptable in terms of design, highways safety and residential amenity, and the RAMS payment of £321.22 per dwelling, paid on 4 November 2019, being transferred to the current application.

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

The Chairman invited questions to the officers.

The Senior Planner was not aware of the reasons for the new application and advised the Committee that it needed to be considered on its own merits.

The Chairman invited Peter Wells, agent for the applicant, to address the Committee.

Mr Wells advised that the new application had been made as his clients had decided to use one of the properties on the site and had therefore changed the scheme to meet the new requirements.

Mr Wells acknowledged that this could have been done under a variation of conditions application but his clients wish to sell a separate plot so this application, as well as another withdrawn last week, were made.

Mr Wells confirmed that this new scheme would make dealing with Community Infrastructure Levy (CIL) and other conditions easier and considered that there were no major differences compared to the extant consent on the site.

There being no questions to Mr Wells, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was also Ward Member for Westerfield, said he was not aware of the site previously and that Westerfield Parish Council had not approached him with any objections.

Another member of the Committee, who was also Ward Member for Westerfield, expressed some concern over the site access but stated he had no objection to the application.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

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

## **RESOLVED**

That that application be **APPROVED** subject to the following conditions:

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

*Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans/reports received on 22 January 2021:

PW1020-PL101

PW1020-PL102

PW1020-PL103

PW1020-PL104

PW1020-PL105

OAS/17/237/TS01 Rev B

Arboricultural Implications Assessment and Preliminary Method Statement OAS/17-237-AR01 Rev B

Phase 1 - Desk Study and Preliminary Risk Assessment 3987,DS,DESK,PC,GF,28-05-19,V1

Ecological Appraisal by Liz Lord Ecology ref:1522

*Reason: For 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 by the local planning authority.

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

4. Prior to the occupation of the dwellings hereby permitted, the areas for storage and presentation of refuse/recycling bins shall be provided in accordance with details that shall have had the prior written approval of the local planning authority. These areas shall be retained thereafter for these purposes.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

5. Prior to the occupation of the dwellings hereby permitted, the new vehicular access from St Mary's Way, and the respective parking and manoeuvring areas, shall have been provided in accordance with detailed specifications that shall have had the prior written approval of the local planning authority. These shall thereafter be retained for these purposes.

*Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is occupied.*

6. Within 3 months of commencement of development, details of a scheme of soft landscaping shall be submitted to and approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the 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.

*Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.*

7. No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 48 days of the report being completed and approved in writing by 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.*

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk).

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community)

[\\_infrastructure\\_levy/5.](#)

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. Note: 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 the County Council or its agents at the applicant's expense.

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: <https://www.suffolk.gov.uk/environment-andtransport/highways/dropped-kerbs-vehicular-accesses/>.

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.

4. 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 <https://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering> or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk).

**13 DC/21/0631/FUL - Felixstowe Rugby Club, Mill Lane, Felixstowe, IP11 2LN**

The Committee received report **ES/0745** of the Head of Planning and Coastal Management, which related to planning application DC/21/0631/FUL.

The application sought permission to extend and clad the existing Felixstowe Rugby Club clubhouse. As the owner of the Land was East Suffolk Council, the proposal was before the Committee in accordance with the Scheme of Delegation as set out in the Council's Constitution.

The Committee received a presentation from the application from the Trainee Planner, who was acting as the case officer.

The site's location was outlined. The site was bordered by residential properties and access was via Mill Lane.

The Committee was shown aerial photographs of the site, the proposed block plan, the existing and proposed elevations, and the proposed floor plans.

Photographs of the existing clubhouse and the access from Mill Lane were displayed.

The material planning consideration was summarised as the design and residential

amenity.

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

There being no questions to the officers, or public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

Members of the Committee spoke in support of the application. The Chairman commented that it was positive to see clubhouse facility improvements being sought given the effects of the COVID-19 pandemic on socialising, and considered this indicated a positive future ahead.

There being no further debate on the application the Chairman moved to the recommendation to approve the application, as set out in the report.

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

## **RESOLVED**

That the application be **APPROVED** subject to the following 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 2699.20.02C received 09/02/2021, 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.*

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.

**14 DC/21/0647/FUL - Newlands, Boulge Road, Hasketon, IP13 6LA**

The Committee received report **ES/0746** of the Head of Planning and Coastal Management, which related to planning application DC/21/0647/FUL.

The application sought permission to extend the dwelling at Newlands, Boulge Road, Hasketon, by raising the height of the roof and creating a single storey rear extension.

The referral process was triggered in accordance with the Scheme of Delegation, as set out in the East Suffolk Council Constitution, as the 'minded to' decision of the case officer, to approve the application, was contrary to Hasketon Parish Council's recommendation to refuse the application due to concerns relating to design and residential Amenity.

The application was therefore presented to the Referral Panel on 6 April 2021 where Members considered that the application should be determined by the Committee to enable debate to take place in relation to the new size and added dormers of the extension which could have a harmful impact to residential amenity of the neighbours.

The Committee received a presentation on the application from the Trainee Planner, who was acting as the case officer.

The site's location was outlined, and the Committee was shown the proposed block plan, proposed floor plans, the existing and proposed elevations, and a computer-generated 3D image of the proposals.

The Committee was shown an aerial photograph of the site; the Trainee Planner explained that the single storey element would be the same height as the host dwelling.

The Committee was shown photographs of the host dwelling and the Trainee Planner highlighted the change in ridge height in relation to neighbouring properties. Photographs of the street scene were also displayed.

The material planning considerations and key issues were summarised as design and residential amenity.

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

The Chairman invited questions to the officers.

The Trainee Planner confirmed officers were content with the proposed height of the development and that it would be similar to the dwelling to the south of the host dwelling and only slightly higher than the dwelling to the north.

The Chairman invited Ivan Baker, the applicant, to address the Committee.

Mr Baker stated that his family had moved to the area from Bawdsey as his family needed to be closer to Woodbridge for education and work reasons. Mr Baker said that he had purchased Newlands with a view to make it into a comfortable family home.

Mr Baker highlighted that he had a large extended family who visited on a regular basis and that this was the reason for the enhancement. The annexe originally proposed and later removed from the scheme was to have been for Mr Baker's eldest son, who suffered from asthma and as a result could not be near the family dog; Mr Baker was disappointed with the objections but had removed this element of the scheme as a result.

The Chairman invited questions to Mr Baker.

Mr Baker confirmed that the objections from neighbours related to light loss and overlooking; Mr Baker did not consider that the development would have a significant impact on light and would not create any overlooking.

The Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was Ward Member for Hasketon, commented that Boulge Road goes out of Hasketon and is on a slight incline and that the original architect had taken the lie of the land into account when designing the streetscene.

The Member noted the objections to the applications, specifically those relating to the development spoiling the roof line of Boulge Road, but appreciated that the Committee may well be in favour of the application. The Member considered that a better scheme could have been devised, but said he would not be voting against the application.

Another member of the Committee highlighted that alterations already made to a property to the south of the application site had broken the original roofline of Boulge Road; he added that any overlooking would be to the front gardens of neighbouring properties that were already visible from the public highway.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

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

## **RESOLVED**

That the application be **APPROVED** subject to the conditions set out below:

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 B2/SIT/01, B2/SIT/02 and B2/ELE/01 received 19/03/2021, 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.*

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@east Suffolk.gov.uk](mailto:CIL@east Suffolk.gov.uk).

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action. CIL forms can be downloaded direct from the planning portal: [https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5).

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

**15 DC/20/4597/FUL - 148 Bucklesham Road, Purdis Farm, IP3 8TZ**

The Committee received report **ES/0747** of the Head of Planning and Coastal Management, which related to planning application DC/20/4597/FUL.

The application sought planning permission to erect a part two storey, part single storey rear extension to the host dwelling, 148 Bucklesham Road, Purdis Farm. The

scheme also included the repositioning of the cart lodge within the front garden (previously approved) and the creation of a new vehicular access.

The referral process was triggered in accordance with the Scheme of Delegation, set out in the East Suffolk Council Constitution, as the 'minded to' decision of the case officer, to approve the application, was contrary to Brightwell, Foxhall & Purdis Farm Group Parish Council's recommendation to refuse the application due to concerns relating to design and residential amenity.

The application was therefore presented to the Referral Panel on Tuesday 30th March 2021 where Members considered that the application be referred to the Committee for debate, on the basis that the size and scale of the extension may have a substantially harmful impact to residential amenity of the neighbours.

The Committee received a presentation on the application from the Trainee Planner, who was acting as the case officer.

The site's location was outlined to the Committee. The Trainee Planner detailed the extant consent for a new dwelling adjacent to the application site and the shared access splitting the larger site.

The Committee was advised that a separate variation of conditions application, to create a link between the application site and the neighbouring site, had been delegated to the Head of Planning and Coastal Management for determination at a meeting of the Referral Panel held earlier in the day.

The proposed floor plans, block plan and the elevations for the proposed garage were displayed to the Committee.

An aerial view of the site was shown to the Committee which displayed the streetscene and access to neighbouring properties, as well as demonstrating the site's relationship to existing dwellings. The Trainee Planner confirmed that Suffolk County Council, as the Highways Authority, had not objected to the application.

Additional photographs were displayed showing views of the site from Bucklesham Road and a neighbouring garden.

The existing and proposed elevations for the host dwelling were displayed; the Trainee Planner highlighted the inclusion of an extension at the rear of the host dwelling.

The Trainee Planner detailed information that suggest the appropriate access to light for neighbouring dwellings would be retained.

The Committee was advised of what the applicant could build under permitted development rights compared to what was proposed. The Trainee Planner advised the Committee that the proposals in the application extended 1.6 metres further than what could be constructed under permitted development rights.

The material planning considerations and key issues were summarised as design, residential amenity and highway safety.

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

The Chairman invited questions to the officers.

In response to a question regarding cramped development, the Trainee Planner considered that the application was at the limit of what could be considered acceptable and was finely balanced in planning terms. The Trainee Planner noted that the applicant had reduced the bulk of the proposed development and floor space following advice from officers.

The Committee was advised that the application was acceptable in planning policy terms but no further development would be allowed on the site, as the limits allowed under permitted development rights would be exceeded by the application.

The Chairman invited Rod Prime, who objected to the application, to address the Committee.

Mr Prime considered that the development would have a negative impact on his residential amenity. He noted that the host dwelling would be increased by 100% at a two-storey level and by 180% at a single storey level. Mr Prime stated that the proposals would result in a significant extension, with the protrusion at the south-east corner being most concerning.

Mr Prime was of the view that the effect of the development on the primary windows of his home had not been considered and said that the extension beyond what would be allowed under permitted development rights was material to his family and represented a crucial extension.

It was considered by Mr Prime that the development would create a tunnel effect and queried the drawings on light access as they did not show his south facing doors accurately. Mr Prime said that a three metres or less extension on this corner would have been more acceptable and highlighted that the windows of his home's breakfast room would be blighted by the extension.

Mr Prime believed that the application should be refused and noted that the reason originally given for the proposed access was to provide separate exit access for the site.

There being no questions to Mr Prime the Chairman invited Senthil Thiagarajan, the applicant, to address the Committee.

Mr Thiagarajan stated that when his family moved into the property in 2017 it was apparent that work was required to make it a more comfortable family home. Mr Thiagarajan wanted to renovate the property whilst remaining sympathetic to the surroundings and the impact on the wider area.

To achieve this, Mr Thiagarajan said he employed a respected architect to design a solution and that it had been considered extending the property to the rear was the best option. Mr Thiagarajan sought pre-application advice from officers and received

mostly positive comments; an application, with changes made following suggestions from officers, was then made.

Mr Thiagarajan highlighted that one of the changes made had been to ensure that light access rules were not breached and a new application was made, removing the proposed single storey to the east.

Mr Thiagarajan considered that the application would have a minimal impact on neighbouring properties and would adhere to the recommendations of the Highways Authority. Mr Thiagarajan said that it was his intention to make his home a net zero building and sought support from the Committee for the application.

There being no questions to Mr Thiagarajan, the Chairman invited the Committee to debate the application that was before it.

Members of the Committee expressed concern about the lack of space between the host dwelling and 148a Bucklesham Road and considered that Mr Prime's objections were genuine. Members of the Committee considered the advice of the officers and concluded that although they were uncomfortable with the proposals, there were no material planning reasons to refuse the application.

In response to a question from the Chairman, the Planning Manager advised that objectors could take civil action over light loss.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Bird, seconded by Councillor Allen, it was by a majority vote

## **RESOLVED**

That the application be **APPROVED** subject to the conditions set out below:

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 3680-11P and 14F received 24/02/2021, 3680-15A and 01B received 26/11/2020 and LSDP 11426-01 received 13/11/2020 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 vehicular access onto the plot shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.*

5. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.*

6. In respect of the new garage, ground investigation should be carried out to determine position of tree roots and in consequence, details of the construction methodology for the new garage shall be submitted to the local planning authority for approval. The submitted methodology shall take full account of the findings of the ground investigations and shall respond accordingly.

*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.*

Informatives:

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

2. It is an OFFENCE to carry out works within the public highway, which includes a

Public Right of Way, without the permission of the Highway Authority.

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

The County Council's East Area Manager must be contacted on Telephone: 0345 6066171. Further information can be found at: <https://www.suffolk.gov.uk/roads-andtransport/parking/apply-for-a-dropped-kerb/>

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.

The meeting concluded at 5:36 pm

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Chairman