



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Planning Committee South

Members:

Councillor Debbie McCallum (Chairman)
Councillor Stuart Bird (Vice-Chairman)
Councillor Chris Blundell
Councillor Tony Cooper
Councillor Tom Daly
Councillor Mike Deacon
Councillor Colin Hedgley
Councillor Mark Newton
Councillor Kay Yule

Members are invited to a **Meeting of the Planning Committee South**
to be held in the Deben Conference Room, East Suffolk House,
on **Tuesday, 22 March 2022 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube
Channel at <https://youtu.be/xcTdmZLahsw>

An Agenda is set out below.

Part One – Open to the Public

Pages

1 Apologies for Absence and Substitutions

2 Declarations of Interest

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

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|----------|---|----------------|
| 3 | Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying. | |
| 4 | Minutes To confirm as a correct record the Minutes of the Meeting held on 22 February 2022 | 1 - 22 |
| 5 | East Suffolk Enforcement Action - Case Update ES/1092 Report of the Head of Planning and Coastal Management | 23 - 42 |
| 6 | DC/21/4748/FUL - 12 Carol Avenue, Martlesham, IP12 4SR ES/1093 Report of the Head of Planning and Coastal Management | 43 - 51 |
| 7 | DC/21/4052/FUL - Seaside House, 27 Bath Road, Felixstowe, IP11 7JN ES/1094 Report of the Head of Planning and Coastal Management | 52 - 61 |
| 8 | DC/21/5183/FUL - 10 Haughley Drive, Rushmere St Andrew, Ipswich, IP4 5QU ES/1095 Report of the Head of Planning and Coastal Management | 62 - 67 |
| 9 | DC/20/5252/VOC - Riduna Park, Station Road, Melton, Woodbridge, IP12 1QT ES/1096 Report of the Head of Planning and Coastal Management | 68 - 83 |

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit

<https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

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Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday, 22 February 2022 at 2.00pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tom Daly, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton

Other Members present:

Councillor David Beavan, Councillor Linda Coulam, Councillor Rachel Smith-Lyte

Officers present:

Mark Brands (Planning Officer (Development Management)), Sarah Carter (Democratic Services Officer), Maxine Green (Administration Support Officer (Democratic Services)), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Tony Cooper and Kay Yule. Councillor Linda Coulam attended the meeting as Councillor Cooper's substitute and Councillor David Beavan attended the meeting as Councillor Yule's substitute.

2 Declarations of Interest

Councillor Stuart Bird declared Local Non-Pecuniary Interests in both items 7 and 8 of the agenda as both a member of Felixstowe Town Council and the Chairman of that authority's Planning and Environment Committee.

Councillor Mike Deacon declared Local Non-Pecuniary Interests in both items 7 and 8 of the agenda as a member of Felixstowe Town Council.

Councillor Mark Newton declared a Local Non-Pecuniary Interest in item 6 of the agenda as a member of the British Horse Society.

Katherine Scott, Principal Planner, declared a personal interest in item 6 of the agenda and advised the Chairman that she would leave the meeting for the duration of that item.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Debbie McCallum and Mark Newton both declared that they had been lobbied on item 6 of the agenda and had not responded to any correspondence received.

There was a discussion on whether members of the Committee needed to declare any lobbying received prior to the application under item 6 of the agenda first being considered at the Committee's meeting of 30 March 2021. The Democratic Services Officer advised that any such lobbying would be recorded in the declarations of the minutes of that meeting.

4 Minutes

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

RESOLVED

That the Minutes of the Meeting held on 25 January 2022 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1054** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 20 January 2022. At the time of the report's publication there were nine such cases.

The report was taken as read and the Chairman invited questions to the officers.

The Planning Manager advised that there had been a successful outcome in the court case related to the enforcement action at Top Street, Martlesham; all three parties had pleaded guilty to breaching an enforcement notice and had been instructed to permanently remove structures and cease the use of the site. All three parties (landowners and occupants) had also been fined and charged court costs.

The Planning Manager, in response to a question on possible enforcement action at Sandy Lane, Martlesham, stated that he would follow up on this site and update the Member outside of the Committee. The Committee was reminded that only sites with active enforcement notices were included in the report.

A member of the Committee queried if the removal of gypsy/traveller housing at Pine Lodge Caravan Park, Hazels Lane, Hinton had resulted in any homelessness. The Head of Planning and Coastal Management advised that this was a longstanding enforcement case and that officers were liaising with colleagues in Housing throughout the process. The Head of Planning and Coastal Management confirmed he could provide the Member with a more detailed update outside of the meeting.

In response to a question on the enforcement action at Houseboat Friendship, New Quay Lane, Melton, the Head of Planning and Coastal Management noted the complex situation in this case and said he would provide the Member with a full case history after the meeting.

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

RESOLVED

That the outstanding enforcement matters up to 17 December 2021 be received.

6 DC/20/1831/OUT - Land Off St Andrews Place and Waterhead Lane, St Andrews Place, Melton

Note: Katherine Scott left the meeting at the beginning of this item.

The Committee received report **ES/1055** of the Head of Planning and Coastal Management, which related to planning application DC/20/1831/OUT.

The application had been made in outline form with all matters reserved except for access. Access was proposed off the northern end of St Andrews Place and an indicative layout plan showing 55 dwellings has been submitted with the application. The application also included an area of open space between the proposed housing and the remainder of the allocated site to the south.

The application had previously been considered by the Committee on 30 March 2021. At that meeting the Committee resolved to approve the application in line with the officer recommendation. The application had been returned to the Committee for determination as in May 2021, prior to the decision notice being issued, the Council received a letter from Birketts LLP on behalf of objectors to the application, indicating that they considered the decision, when issued, would be amenable to a successful Judicial Review Challenge as the Committee had been advised incorrectly by officers.

Following correspondence between Birketts LLP and the Council, where the Council maintained a position that the Committee had been properly advised, it was agreed to remit the application to the Committee for its re-consideration.

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

The site's location was outlined; it was noted that the Committee had visited the site earlier that day. The Senior Planner outlined the site's location in relation to the site allocation in policy MEL20 of the Melton Neighbourhood Plan (the Neighbourhood Plan). The Committee was shown an indicative masterplan of the site.

The Senior Planner detailed the proposed off-site highway improvements that would be made on St Andrews Place. The Chairman confirmed that this plan had been made available to Members during the site visit. The Senior Planner summarised the

comments of the Highways Authority, set out in the report, regarding the off-site highway improvements having been taken as far as was feasible. The Senior Planner also summarised the position of the Highways Authority, who recommended refusal in relation to concerns on construction access, traffic impact and sustainable access.

The Committee was advised that a direct route through the wider MEL20 allocated site was not currently possible as the site was in multiple ownership and an agreement had not been reached between the different landowners; it was noted that this access could come forward in the future. Officers considered that despite this the site was in a sustainable location for travel and infrastructure.

The Senior Planner referred to the second proposed claim ground two, relating to the Planning Officer advising Members on an inaccurate assessment of adverse appeal costs; the Senior Planner highlighted that the response to this was covered in detail in paragraphs 7.28 to 7.31 of the report.

The Senior Planner outlined that the recommendation to approve the application as set out in the report had been revised to instead delegate authority to approve the application to the Head of Planning and Coastal Management, subject to both the proposed planning conditions set out in the report and some minor changes to the Section 106 Agreement being agreed with the applicant.

The Chairman invited questions to the officers.

It was confirmed that one of the three reasons that the Highways Authority recommended refusal was due to concerns in respect of construction traffic.

The Senior Planner outlined that the footway/cycle link would run from east to west towards St Andrews Place.

A member of the Committee referred to the comments of the Highways Authority on the siting of pedestrian crossings in St Andrews Place and sought the Senior Planner's views on them. The Senior Planner noted that since the comments had been submitted, the applicant had revised the off-site highways improvements to what had been presented to the Committee at the site visit and the meeting.

Another member of the Committee asked about the biodiversity of the development, noting that trees on the site had already been lost. The Senior Planner highlighted the ecological enhancement conditions proposed in the recommendation and reiterated that all other matters were reserved for this application and would be addressed at the approval of reserved matters stage. The Head of Planning and Coastal Management added that the requirement for biodiversity gain was brought in after the Neighbourhood Plan had been made.

The Senior Planner confirmed that since the revision of the off-site highways improvements the Highways Authority had not submitted any further comments.

The Chairman invited Richard Chalmers, who objected to the application, to address the Committee.

Mr Chalmers said that he objected to the application in the strongest possible terms and hoped that the site visit had demonstrated to Members that St Andrews Place was an inappropriate access for the site. Mr Chalmers described St Andrews Place as winding and having a lot of on-street parking and said that its use as access to the site would pose a clear risk to residents' safety. Mr Chalmers considered that construction workers arriving at and leaving the site would create health and safety and congestion issues.

Mr Chalmers highlighted that the Highways Authority had consistently objected to the application despite the changes made by the applicant and had expressed a desire for a more direct site access; he said he was therefore surprised that the committee report downplayed the concerns of the Highways Authority. Mr Chalmers noted other issues with the report relating to a pedestrian connection to Wilford Bridge Road, which he considered vital to the development. Mr Chalmers reminded the Committee the masterplan supplied was only indicative.

Mr Chalmers said that public confidence in the planning system was low and highlighted that the Highways Authority was a statutory consultee. Mr Chalmers referred to an application determined by the Committee at its previous meeting, where a Member had stated that great stock should be placed in the views of the Highways Authority.

There being no questions to Mr Chalmers the Chairman invited Councillor Nigel Brown, representing Melton Parish Council, to address the Committee.

Councillor Brown outlined that Melton Parish Council had submitted detailed objections to the application and recommended the application be refused as what was proposed was not what had been put to the Parish Council by the developer when making the Neighbourhood Plan.

Councillor Brown said that the Parish Council had been assured that there were arrangements between the landowners for a comprehensive development of the site allocated by MEL20 which would have direct access to travel links and would preserve green space; he added that an illustrative document provided by the developer had shown access to the site through Riduna Park and not via St Andrews Place.

Councillor Brown suggested that the application represented piecemeal development of the allocated site which have a negative impact on the wider area, noting that residents had expressed concerns about the use of St Andrews Place to access the site, including for construction. Councillor Brown highlighted that the site visit should have demonstrated to the Committee these concerns and considered that the use of St Andrews Place to access the site would lead to conflict and risk.

It was noted by Councillor Brown that the site did not have direct cycle access and was of the view that the development would result in a net biodiversity loss on the site. Councillor Brown also expressed concern about the suitability of the proposed drainage given flooding in the area.

Councillor Brown highlighted that the Parish Council and planners had met with the applicant, who had been asked to address a range of issues and to work with the Parish

Council and the other landowners to create a better plan for the site; he considered that this had not occurred and therefore the application fell short of what was required. Councillor Brown urged the Committee to refuse the application and stated that although the site was allocated for mixed use including housing, a second-rate development should not be accepted.

The Chairman invited questions to Councillor Brown.

Councillor Brown confirmed that the Parish Council was not opposed to the principle of development on the site and reiterated that the application did not marry up with what had been suggested by the developer when making the Neighbourhood Plan.

In response to a question regarding agreements with the landowner, Councillor Brown said that the developer had assured both the Parish Council and the Planning Inspector that they had agreements with the other landowners to develop the site as had been suggested at the time.

The Head of Planning and Coastal Management highlighted that MEL20 allocated land off Wilford Bridge Road for mixed use development subject to certain criteria, including that access options were explored to ensure there was not only a single point of access to the site. The Head of Planning and Coastal Management noted that this was the only reference in the policy to access arrangements.

Councillor Brown confirmed to a member of the Committee that the proposals only provided a single point of access and reiterated that the proposed access was unsuitable for the site.

The Chairman invited Councillor Rachel Smith-Lyte, Ward Member for Melton, to address the Committee.

Councillor Smith-Lyte said that there was an argument the application should be approved as the site was allocated for development in the Neighbourhood Plan but suggested that this plan had been made under great duress which had caused splits in the Parish Council. Councillor Smith-Lyte considered that there should be an opportunity to reassess the situation.

Councillor Smith-Lyte queried if the Committee had been made aware of the restocking notice issued on the site by the Forestry Commission which meant that legal action could be pursued after the site's development. Councillor Smith-Lyte noted that the Highways Authority maintained its objections to the application despite the changes made by the applicant, expressing that a more direct access was required.

Councillor Smith-Lyte was of the view that the site's proximity to Melton rail station should maximise sustainable travel but considered that the proposed access did not allow for this. Councillor Smith-Lyte said that Melton could not accommodate the additional traffic which would be generated by the development, noting that residents did not want to live in an over-urbanised environment and that Melton did not have the infrastructure needed to cope with the increase in population.

Councillor Smith-Lyte noted that there was no Habitat Regulations Assessment and that there would be a net loss of biodiversity. Councillor Smith-Lyte considered the drainage proposals to be insufficient due to the flood risk in the area and said that the development should not be allowed simply to allow the developer to make more money.

Councillor Smith-Lyte said that climate change needed to be actioned at a local level and that the development would not support combating climate change. Councillor Smith-Lyte said that if the application was approved it was show residents that democracy, if not dead, was dying. Councillor Smith-Lyte asked the Committee to do the right thing and refuse the application.

The Chairman invited questions to Councillor Smith-Lyte.

Councillor Smith-Lyte clarified that although she was not a councillor at the time the Neighbourhood Plan was made, she was aware that Melton Parish Council had been under pressure to make it.

Councillor Smith-Lyte noted that her views on the application did not completely align with the views of the Parish Council expressed by Councillor Brown.

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

Several members of the Committee referenced what they had seen during the site visit and concurred with the concerns of the Highways Authority about the suitability of using St Andrews Place to access the site, noting the significant on-street parking in the area. These members of the Committee considered that the proposed access to the site was not suitable and suggested that the comments of the Highways Authority be given appropriate weight.

Councillor Beavan acknowledged that the site was allocated for development but was of the view that the access to the site through Riduna Park should have been secured by the developer before making the application.

Councillor Daly was concerned that the access to the site was being agreed before the other matters on the site and said he could not vote to approve only one element of the site's development.

Councillor Coulam sought clarification that the off-site highway improvements would be completed before the site was developed; she added that if on-street parking was addressed on St Andrews Place this would assist the situation and said she remained open-minded on the application. Councillor Blundell concurred with this view, noting he had seen several empty drives during the site visit, and said that any construction traffic using St Andrews Place would be temporary.

Councillor Bird highlighted that an outline application did not deal with the detailed matters that would be addressed at the approval of reserved matters stage and that the granting of outline planning permission did not mean that development could take place before the reserved matters were also approved.

Councillor Bird stated that the Committee needed to concern itself with what had been applied for and considered that the scheme was no different to the one approved by the Committee in March 2021 and saw no material change to cause him to vote against approving the application. Councillor Bird said it needed to be accepted that the site was allocated for mixed-use development by MEL20 and that the Neighbourhood Plan had been made by the community and voted on in a referendum, becoming part of the development plan.

Councillor Bird said that construction traffic would be managed via condition and was not a reason to refuse the application and said that the concerns raised suggested that St Andrews Place was unsuitable for its current use, which would have a bearing on future applications in the area. Councillor Bird welcomed the additional safety measures provided by the off-street highways improvements which would alleviate on-street parking in the area. Councillor Bird highlighted that officers were of the view that the concerns of the Highways Authority did not meet the criteria for refusal and said he would be supporting the application.

Councillor McCallum considered the site to be a great space but the proposed access to be awful. Councillor McCallum said that problems would remain on St Andrews Place after construction traffic stopped and did not consider it the right access for the site, stating that she could not support the application.

Councillor Hedgley said that empty drives seen on the site visit could have been due to people not being at home at that time and that households with more than one vehicle could not all park on one drive. Councillor Hedgley said he had to support the comments of the Highways Authority and could not support the application.

Councillor Daly acknowledged the application was for outline planning permission but was for only one part of a larger allocated site and therefore did not provide for that site's holistic needs. Councillor Deacon highlighted the additional impact of the new residents the development would bring to traffic on St Andrews Place.

The Head of Planning and Coastal Management referred to the concerns of the Highways Authority summarised in the Senior Planner's presentation and advised the Committee that officers were of the view that, notwithstanding these concerns, the impact was not so severe to warrant refusing the application on highways grounds.

The Head of Planning and Coastal Management referenced that should the application be refused and an appeal be made, a Planning Inspector would need to test the application against the National Planning Policy Framework and there would need to be evidence that the impact from construction traffic was so unacceptable it would depart from the advice of the officers in the committee report to approve the application and was uncertain if the Highways Authority would choose to defend the appeal from their perspective.

The Head of Planning and Coastal Management said it was unfortunate that a more direct access had not been obtained by the developer but considered the proposed access still provided a link to sustainable travel options. The Head of Planning and Coastal Management said the information presented in the report was finely balanced and reminded the Committee that the application was for outline planning permission

with all matters reserved apart from the site access, noting that despite understanding the concerns raised he did not consider there were sufficient grounds for refusal on highways safety grounds.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management. The recommendation was proposed by Councillor Bird, seconded by Councillor Coulam and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. Following further debate, a proposal to refuse the application on the grounds of highway safety as per the comments of the Highways Authority was made by Councillor Deacon and seconded by Councillor Hedgley and it was by a majority vote

RESOLVED

That the application be **REFUSED** on the grounds of highway safety as per the comments of the Highways Authority.

Note: Katherine Scott returned to the meeting following the conclusion of this item.

7 DC/21/4908/VOC - Felixstowe Ferry Golf Club, Ferry Road, Felixstowe, IP11 9RY

The Committee received report **ES/1056** of the Head of Planning and Coastal Management, which related to planning application DC/21/4908/VOC.

The application sought to vary condition 2 of planning permission DC/19/5049/FUL. The approval related to a scheme which involves the redevelopment of Felixstowe Ferry Golf Club to provide a new and improved clubhouse facility with public cafe, toilets, holiday letting rooms, an extended car park area and five new dwellings. The application sought to vary the approved design of the new dwellings.

The application was before the Committee as part of the application sites on land within the Council's ownership, namely the Clifflands car park, and therefore was required to be determined by the Committee in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

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

The site's location was outlined, and the Committee was shown photographs of the site from Cliff Road looking towards the existing clubhouse, as well as photographs of the existing clubhouse including the car park and the existing pro golf shop.

The Senior Planner compared the existing layout of the site with the approved layout under the extant planning permission. The Committee was also shown the proposed block plan for the residential dwellings and was advised that the main change to the design of the residential dwellings related to elevational changes.

The Committee received the approved and proposed elevations for the residential dwellings. The changes were summarised as:

- Plots 1 and 2 - minor variation in the roof form, the pattern of fenestration and a revised balcony and balustrade design.
- Plot 3 - some alterations to the size and location of openings, a different design and form of the balcony. The second-floor accommodation would move to the north-western corner of the property (when previous it was located centrally), creating a larger balcony area to the east.
- Plot 4 - minor changes to the openings and balcony design. The second-floor accommodation would also be reduced slightly and positioned in the north-western corner creating a larger balcony area to the east. Loss of a small balcony off the first-floor dining room. The highest part of the dwelling would be 0.5 metres lower.
- Plot 5 - changes to the fenestration pattern and balcony balustrade design. Second-floor accommodation slightly reduced and situated in the south-western corner of the dwelling with the wrap-around balcony replaced with larger spaces to the north and east elevations only.

The recommendation to approve the application was outlined to the Committee.

There being no questions to the officers, public speaking or debate the Chairman sought a proposer and a seconder for the recommendation to approve the application, as set out in the report.

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

RESOLVED

That the application be **APPROVED** subject to all conditions imposed on the original approval but with necessary amendments as proposed.

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of the original planning permission (20 May 2020).

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 be completed in all respects strictly in accordance with Drawing Nos. 5353_PA102B, 201I, 202H, 203A, 300, 301B, 302A, 303, 401, 402, 403, 404, 5353 PB, 2019 34 02,

Design and Access Statement
Environmental Report
Transport Statement
Landscape and Visual Appraisal
Flood Risk Assessment

Coastal Erosion Vulnerability Assessment
Bat Roost Survey
Ecological Appraisal and Bat Scoping Survey
Business Plan and Viability Statement
Noise Assessment
Tree Survey Report
Archaeological and Heritage Assessment
Planning Statement
Needs Statement
Landscape Masterplan
Statement of Community Involvement

All received 24 December 2019

5353_PA 200 received 30 January 2020
Coastal Erosion Vulnerability Assessment Revision C received 7 February 2020
Report Number 4664,EC/SHRA/JB,RF,KL/05-03-20/V3 dated 5 March 2020
Drawing nos. 5353_PA_103AA and 104P received 23 February 2021 in
relation to DC/21/0894/AME
5353_PA_209A received 15 April 2020
5353_PA_005A received 16 April 2020
5353_PA_106I, 107B, 210D, 220E, 230D, 240D, 250B, 310D, 320E, 330D, 340D
and 350B received 27 October 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.*

4. Prior to commencement of construction on the roof of the clubhouse hereby
permitted, details of the construction of the roof including eaves and verges details and
planting shall be submitted to and approved in writing by the local planning authority.
Only the approved scheme shall be constructed and it shall be retained in its approved
form.

*Reason: In order to fully understand the construction and appearance of the roof. This
detail was not included in the application.*

5. Prior to occupation of the fifth dwelling hereby permitted, the café, public toilets,
putting green and viewing platform shall be completed in their entirety and be made
available for use.

Reason: In order to ensure that the public benefits of the scheme are provided in a timely manner.

6. Prior to construction of the fourth dwelling hereby permitted above slab level, an Operating Scheme detailing the opening hours of the café, public toilets, putting green and viewing platform shall be submitted to and approved by the local planning authority. The Operating Scheme shall include details of the minimum opening hours of the public facilities and shall be effective from prior to the occupation of the fifth dwelling hereby permitted. The opening hours set out in the agreed Operating Scheme shall thereafter be adhered to.

Reason: In order to ensure that the public benefits of the scheme are provided and made available.

7. Prior to demolition of the existing clubhouse building, a record of the building, to Historic England's Level 2 Recording standard, shall be undertaken. This record shall be submitted to the Suffolk County Council Historic Environment Record with confirmation to be provided to the local planning authority that this has happened prior to the completion of the project's construction. (The phasing plan and historic photograph included in the submitted Heritage Statement should also be included for submission to the HER as they provide valuable analysis and a useful visual record.)

Reason: In order that this historical building can be properly recorded to assist in historical understanding.

8. No development above slab level shall commence until details of a hard and soft landscaping scheme including boundary treatments should be submitted and approved, in writing, by the Local Planning Authority. The soft landscaping plan should include plant species, number, location and sizes of the proposed planting. The plans should clearly show the position of new fencing in relation to existing and proposed planting.

Reason: In the interest of visual amenity and the character and appearance of the area.

9. The approved landscaping scheme shall be implemented not later than the first planting season following completion 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.

10. No development above slab level shall commence until details of a lighting strategy, including 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.
- c) show that light spillage will be minimal and not adversely affect the character or appearance of the AONB or Heritage Coast landscape.

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 and that light spillage into the landscape is minimised.

11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Geosphere Environmental, December 2019), bat survey report (Geosphere Environmental, September 2019) and Shadow Habitats Regulations Assessment by Geo Environmental dated 5 March 2020

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

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

Reason: To ensure that nesting birds are protected.

13. No development, demolition, site clearance (including clearance of vegetation) or earth moving shall take place, or material or machinery be brought onto the site, until a plan detailing Reasonable Avoidance Measures (RAMS) for how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.

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

14. Prior to commencement of development above slab level, an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, shall be submitted to and approved in writing by the local planning authority. All enhancements as agreed in the Strategy shall be incorporated into the scheme prior to use of the clubhouse and shall be retained in their approved form thereafter.

Reason: To ensure that the development delivers ecological enhancements.

15. As stated in the Noise Assessment by Sharps Redmore dated 16th December 2019, the new residential properties shall be constructed in accordance with the noise insulation requirements of BS8233:2014. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below:

- Daytime noise levels for indoor living spaces of 35dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
- Daytime noise levels for outdoor areas; garden and amenity space of 50dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
- Night-time noise levels for bedrooms of 30dB LAeq and 45 dB LAm_{ax} 8 hour (between the hours of 23:00 - 07:00 hours)

Reason: To ensure that the new residential dwellings will benefit from an appropriate level of residential amenity with respect to noise.

16. Prior to the installation of any fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant), a noise assessment should be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. Only the approved plant and/or machinery shall be installed along with any mitigation as necessary and be retained in its approved form thereafter.

Reason: To ensure that noise from fixed plant or machinery does not result in unacceptable levels of noise for neighbouring residents.

17. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business and be retained thereafter.

Reason: In order that the residential amenity of neighbouring residents is not adversely affected.

18. With the exception of the six holiday letting rooms, the clubhouse building shall only be open to the public between 07:00 and 00:00 with the exception of six nights in any calendar year when the clubhouse can be open to the public until 01:00 only in accordance with the relevant event license.

Reason: In order to control the impact of the use on neighbouring residents' amenity.

19. Prior to the commencement of development, a Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled. The approved scheme shall be implemented in full throughout the duration of the construction phase.

Reason: In order to reduce nuisance to the occupiers of neighbouring properties.

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 site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) As deemed necessary following the desk study, site reconnaissance and intrusive investigation,

Further intrusive investigation 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.

21. 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.

22. Prior to any occupation or use of the approved development the RMS approved under condition 21 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.

23. 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.
- 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.

24. 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.

25. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated 18/12/2019, ref: 1906-360 Rev A) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

26. The development hereby permitted shall not be occupied until details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

27. Drainage shall be by pumped system discharging to the manhole identified on page 21 of part 2 of the FRA/Drainage Strategy

Reason: In order to ensure that there is an appropriate method of drainage on site.

28. Prior to occupation of the fifth dwelling hereby permitted, the existing golf club house and pro-shop building shall be demolished. All material from the demolition shall be removed from site and disposed of at an appropriate location.

Reason: In order to achieve a properly planned development in the interest of protecting and enhancing the landscape.

29. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

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

30. Prior to first use, the visitor signage in relation to the Deben Estuary, as detailed in the Shadow Habitats Regulations Assessment (sHRA) report (Geosphere Environmental, March 2020), shall be installed. The content of the signage will be approved in writing by the local planning authority prior to installation.

Reason: To ensure that increased recreational disturbance impacts on the Deben Estuary are adequately mitigated.

31. Prior to the occupation of the new residential dwellings, the new access to serve each residential development should be laid out in accordance with SCC DM drawing number DM03 and located as shown on submitted drawing numbers PA_104 Rev P and 1906-36--_005A. The approved accesses shall be laid out and constructed in its entirety prior to the occupation of the property. Thereafter the accesses shall be retained in the 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.

32. The existing pedestrian crossing (to the east of plot 5) south side and the new access on the north side of Ferry Road shall be upgraded and laid out in accordance with submitted drawing numbers PA_104 Rev P and 1906-36--_005A. The approved crossing shall be available for use prior to completion of the development. Thereafter the crossing shall be retained in the approved form.

Reason: To ensure that the existing crossing is improved to an appropriate specification and the new crossing is constructed to an appropriate specification and both are made available for use at an appropriate time in the interests of highway safety.

33. Before any new access is first used ALL visibility splays shall be provided as shown on submitted drawing numbers PA_104 Rev P and 1906-36--_005A (this includes pedestrian crossing visibility splays) and thereafter all 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 to take avoiding action.

34. The use shall not commence until the area within the site shown on submitted drawing number PA_104 Rev P for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area 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.

35. Prior to the creation of any new access hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

36. Prior to occupation of any of the dwellings hereby permitted, details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

37. Before the residential part of the development is occupied, a footway shall be provided in accordance with footways shown on submitted drawing numbers PA_104 Rev P and 1906- 36--_005A details of which shall be submitted to and approved in writing by the Local Planning Authority. The approved footway scheme shall be carried out in its entirety and shall be retained thereafter in its approved form.

Reason: To provide a safe access to the site for pedestrians.

38. Before the residential part of the development is occupied a gateway entrance scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved gateway entrance scheme shall be carried out in its entirety and shall be retained thereafter in its approved form.

Reason: In the interests of highway safety

39. Prior to occupation of any of the dwellings hereby permitted, evidence of the water efficiency standards shall be submitted to, and approved in writing by, the local planning authority. The dwellings within the hereby approved development must achieve the optional technical standard in terms of water efficiency of 110 litres/person/day in Policy SCLP9.2 or any future document/policy replacing this, as measured in accordance with a methodology approved by Building Regulations Approved Document G.

Reason: To ensure that the finished dwellings comply with Policy SCLP9.2 of the East Suffolk Council - Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwellings.

40. Prior to first use of the clubhouse facility hereby permitted, a British Research Establishment Environmental Assessment Method New Build Post Construction Stage (PCS) final rating and certificate of assessment demonstrating the development achieved the 'Very Good' standard or equivalent shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with Planning Policy SCLP9.2

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

3. It is noted that the applicant intends to discharge surface water to a watercourse within the IDD (directly or indirectly), with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in

line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy. (https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such it is strongly recommended that the required consent is sought prior to determination of the planning application.

4. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

Consultation should be made with the Water Authorities to determine flow rates in all cases. Suffolk Fire and Rescue Service currently has a fire hydrant located at one of the entrances to this site. Please ensure that this is identified and protected whilst the work is being carried out and is easily accessible for inspection and work after the build is complete. Failure to protect the fire hydrant could incur repair or replacement costs.

8 DC/21/4083/FUL - Car Park, Garrison Lane, Felixstowe, IP11 7SH

The Committee received report **ES/1057** of the Head of Planning and Coastal Management, which related to planning application DC/21/4083/FUL.

The application sought full planning permission for the siting of a demountable workshop and three, 40ft containers for storage. Parking for the Lions Club van and parking for 6 cars within the fenced area was also proposed.

The application was before the Committee as the development proposal would take place on land owned by East Suffolk Council and therefore was required to be determined by the Committee in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planning Officer, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial photograph of the site, detailing its relationship with the surrounding area. The proposed block plan, 3D visuals and plans for the containers and demountable unit were also displayed.

Photographs of the site looking from the north and south were displayed, along with a photograph of the site's relation to the existing FACTS building. A photograph of the demountable unit, currently located on the former Deben High School site, was also shown to the Committee.

The recommendation to approve the application was outlined to the Committee.

The Chairman invited questions to the officers.

The Planning Officer confirmed that the site would be fenced off from the car park with a perimeter fence.

There being no public speaking or debate the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

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

RESOLVED

That the application be **APPROVED** subject to conditions.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the application form and drawings Lions 01, Lions 02, Lions 03, Lions 04, Lions 05 received 31 August 2021 and drawings Lions 06, Lions 07 received 17 September 2021 and correspondence received 7 January 2022.

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

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.

The meeting concluded at 3.40pm.

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Chairman

PLANNING COMMITTEE SOUTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

22 March 2022

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 18 February 2022. At present there are 10 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

RECOMMENDATION

That the outstanding enforcement matters up to 18 February 2022 be noted.

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------------------|--|-------------|--|---|--|---|
| EN08/0264 & ENF/2013/0191 | 15/01/2010 | North | Pine Lodge Caravan Park, Hazels Lane, Hinton | Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site. | <ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held | 31/03/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|--|---|
| | | | | | <ul style="list-style-type: none"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <ul style="list-style-type: none"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non- | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|--|---|
| | | | | | <p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|------------------------------------|---------------------|---|---|
| | | | | | <ul style="list-style-type: none"> Charging orders have been placed on the land to recover costs. | |
| EN/09/0305 | 18/07/2013 | South | Park Farm, Chapel Road, Bucklesham | Storage of caravans | <ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months 11/07/2014 – Final compliance date 05/09/2014 – Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. | July 2023 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <ul style="list-style-type: none"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • Due to the receipt of confidential information formal action has been placed on hold. • 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|------------------------|---------------------|---|---|
| | | | | | present to pursue. Review in two years. | |
| ENF/2014/0104 | 16/08/2016 | South | Top Street, Martlesham | Storage of vehicles | <ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) | 28/05/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <ul style="list-style-type: none"> • 01/10/2018 – PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <ul style="list-style-type: none"> • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. • 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 • 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. • Legal action being considered. • Case to be heard at Court on 15/10/2021 • Court Case adjourned until 12/11/2021 • Court case adjourned for trial on 24/01/2022 • Court case adjourned until 01/02/2022 | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|---|--|---|---|
| | | | | | <ul style="list-style-type: none"> Owners and Tenant pleaded guilty to the charges and were fined £2000 and £1000 respectively plus costs. The majority of the site has now been cleared with the rest to be done by mid May 2022. | |
| ENF/2016/0292 | 11/08/2016 | South | Houseboat Friendship, New Quay Lane, Melton | Change of use of land | <ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). | 24/11/2024 |
| ENF/2017/0170 | 21/07/2017 | North | Land Adj to Oak Spring, The Street, Darsham | Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins | <ul style="list-style-type: none"> 16/11/2017 – Authorisation given to serve EN. 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period Appeal submitted. Awaiting Start date | 31/03/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|---|---|
| | | | | | <ul style="list-style-type: none"> • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. • 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|--------------------|--|-------------|------------------------------|---|---|---|
| | | | | | <ul style="list-style-type: none"> • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. • Further visit to be done on 25/03/2021. • Site visit completed, Notices not complied with, file passed to Legal services for further action. | |
| ENF/2015/0279 /DEV | 05/09/2018 | North | Land at Dam Lane Kessingland | Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds. | <ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • Retrospective app received 01/03/2017. • Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with | 31/05/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|--|---|
| | | | | | <p>the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice sever by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. • Court hearing in relation to structures and fencing/gates 03/03/2021 | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|--|---|
| | | | | | <ul style="list-style-type: none"> • Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed • Site visited on 13/08/21 all structures removed from the site. | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|--------------------|--|-------------|---|---|--|---|
| ENF/2018/0543 /DEV | 24/05/2019 | North | Land at North Denes Caravan Park The Ravine Lowestoft | Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface. | <ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council | 31/03/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|--------------------|--|-------------|--------------------------------|----------------------------|---|---|
| | | | | | <ul style="list-style-type: none"> • Compliance with Notice by 18/08/2021 • Extension of time granted for compliance until 31/10/21. • Further extension granted until 15/11/2021. • Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered. • Certificate of Lawful Use (Proposed) application submitted. | |
| ENF/2018/0090 /DEV | 10/12/2019 | South | Dairy Farm Cottage, Sutton Hoo | Erection of a summer house | <ul style="list-style-type: none"> • Enforcement Notice served 10/12/2019 • Awaiting site visit to check on compliance • Site visit undertaken, summer house still in situ. Further action to be considered. • Property has now changed hands. Contact with new owner to be established. | 31/03/2022 |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------|--|-------------|----------|--------|--|---|
| | | | | | <ul style="list-style-type: none"> • Officers are now in contact with the new owners and are discussing a way forward. • Six weeks given for summerhouse, decking and steps to be removed. • New planning application has been submitted. Case on hold until determined. • Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned. • Summerhouse to be removed by 10th June 2021 • Site visit to be undertaken. • 16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal. • New Planning application submitted for retention of summerhouse. | |

| LPA Reference | Date of Authorisation (Panel/ Delegated) | North/South | Location | Breach | Status | Date by which Compliance Expected (or Prosecution Date) |
|---------------------|--|-------------|---|--|--|---|
| ENF/2019/0307 /COND | 21/10/2021 | North | The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon | Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL | <ul style="list-style-type: none"> 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. Appeal submitted. Waiting for start date from the Planning Inspectorate. Appeal notice received. Statement due to Planning Inspectorate by 21/01/2022. Awaiting Planning Inspectorate Decision | 25/02/2022 and 25/04/2022 |
| ENF/21/0441/S EC215 | 03/02/2022 | North | 28 Brick Kiln Avenue, Beccles | Untidy site | <ul style="list-style-type: none"> S215 (Land adversely affecting amenity of Neighbourhood) Notice served 07/02/2022 | 11/06/2022 |

Committee Report

Planning Committee South – 22 March 2022

Application no DC/21/4748/FUL

Location

12 Carol Avenue
Martlesham
Suffolk
IP12 4SR

Expiry date 12 December 2021

Application type Full Application

Applicant Mr and Miss Scott and Amy Silburn and Booth

Parish Martlesham

Proposal Front and Rear Single Storey Extensions.

Case Officer Katherine Scott
07867 155568
katherine.scott@eastsuffolk.gov.uk

1. Summary

- 1.1. This application seeks planning permission for single-storey front and rear extensions at 12 Carol Avenue, Martlesham.
- 1.2. During the course of the application revised plans for the front extension have been received. All parties were consulted on the revised plans. The Parish Council maintained their objection. Therefore, as the officer minded to recommendation is one of approval, the referral process was triggered. The application was therefore presented to the Planning Referral Panel on 22 February 2022, with a recommendation that the application was delegated to officers for determination. The Referral Panel resolved to refer the application to Planning Committee to allow for the impact of the change to the front of the terrace to be debated in public.
- 1.3. There were also two representations of objection to the initial design for the front extension. The third parties were also consulted on the revised plans, but no further responses were received.

2. Site Description

- 2.1. The application property, 12 Carol Avenue, Martlesham is a two-storey mid-terraced dwelling. The terrace is set on a north-south alignment set perpendicular to the highway. The terrace fronts an open greenspace and is accessed via a pedestrian pathway from the parking court/garage area that is located to the south. To the rear (west) of the terrace there is a belt of trees and then the site of a gospel hall. To the north is the school playing field of the Primary School.
- 2.2. The terrace was constructed in the 1960's and Permitted Development Rights appear to remain intact. It is within the Settlement Boundary of Martlesham, outside any designated area.

3. Proposal

- 3.1. This application seeks full Planning Permission for the erection of single-storey front and rear extensions.
- 3.2. The front extension is proposed to provide a porch over the front door. Its design has been revised during the course of the application. It has been reduced in footprint (both depth and width) and its roof has been altered from a gable to a lean-to form. It is too large to be constructed using the Permitted Development Rights for Porches (Class D of Part 1, of Schedule 2 of the General Permitted Development Order), as its footprint would be in excess of 3sqm (approximately 4.8sqm) and its height is in excess of the permitted 3m (approximately 3.2m). It also cannot be constructed using the Permitted Development Rights for extensions (Class A) as it is on the principal elevation.
- 3.3. The existing conservatory on the rear elevation of the dwelling is proposed to be demolished to enable to the construction of the proposed rear extension. The existing conservatory has a depth of approximately 2.4m and width of 6.3m. The rear extension is proposed to have a flat roof with a roof lantern. It would have a depth of projection of 2.39m and a width of 6.22m. The proposed rear extension would not span the entire width of the dwelling but would be set in from the boundaries with both attached neighbours. The neighbouring dwelling to the south already has a rear extension with a gabled roof that projects approximately 4m.

4. Consultees

Third Party Representations

- 4.1. There were two representations of objection to the initial consultation process, raising the following comments:
 - feel the proposed Front Extension is inappropriate and sets a precedent changing the frontal aspect/building line which is currently in line with the original planning consent.
 - the proposed front extension would be beyond the current building line, be overbearing, and out of scale in terms of its appearance compared with other similar residences and would be detrimental to the open appearance of the area, setting a precedent for similar changes to other properties.

- the proposed front extension would obstruct the view from the front view of the neighbouring property and reduce natural light to the living space served by that window.
- The application form states that the proposed buildings would not be visible from roads or footpaths, not true in the case of the extension to the front of the property. There is a public footpath to the front of the property that runs within 4m of the proposed development. It would also be clearly visible from Carol Avenue.
- The current drainage from the roofs of the terrace is by soakaways. One of these soakaways is nearby to the proposed development to the front of No12. In order to maintain the required 5m distance from the foundations of the new extension this soakaway would have to be relocated causing considerable disruption to our front garden.

4.2. There was also a representation of comment, raising the following comments:

- Were surprised that only the direct neighbours have been informed. This is a row of terraced houses at the bottom of a cul-de-sac. The large front extension will be seen by all the neighbours in the row of terraced and the houses across the road and therefore consider all the neighbours should have been consulted.

4.3. The third parties were reconsulted on the revised plans but did not respond.

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| Martlesham Parish Council | 20 October 2021 | 1 November 2021 |
| <p>“The Parish Council does not object to the proposed rear extension. It does, however, object to the proposed front extension on the following grounds:</p> <p>' The front extension is inappropriate in its front garden location due to its impact on the street scene and footpath frontage, being out of character with its neighbours.</p> <p>' Contrary to ESC Supplementary Planning guidance 16 at paragraph 4.1, it does not respect the original terraced design to the front of the property.</p> <p>' It fails to comply with Martlesham Neighbourhood Plan Policy MAR4: Residential Design and Amenity, points 1, 2, 3 and 4, by virtue of its design, and location in a terrace. The proposed structure would extend significantly beyond the building line in a conspicuous position.”</p> | | |

Reconsultation consultees

| Consultee | Date consulted | Date reply received |
|--|-----------------|---------------------|
| Martlesham Parish Council | 28 January 2022 | 4 February 2022 |
| <p>Summary of comments: Martlesham Parish Council (MPC) objects to this application. Please see MPC response of 1st November 2021.</p> | | |

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 17 November 2021

Expiry date: 8 December 2021

5. Planning policy

National Planning Policy Framework 2021

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

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

MAR4 - Residential Design and Amenity (Martlesham Neighbourhood Plan - 'Made' July 2018)

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

6. Planning Considerations

Residential Amenity

- 6.1. The front extension would be located on the east-north-east facing elevation of the dwelling. Therefore, it would be to the north of the living room window of the attached neighbouring dwelling located to the south. Therefore, due to the path of the sun, there would be no direct impact upon sunlight reaching the neighbours living room window.
- 6.2. The front extension would potentially be visible in views from the neighbours living room window, but it is set to the side (at least 0.5m from the shared boundary, plus the distance to the window) and therefore it would not be visually intrusive and direct views towards the green open space would remain. The space to the south of the window would also remain. Therefore, this addition would not be overbearing and there would also be very limited potential for impacts upon daylight to this window.
- 6.3. Also of consideration is the realistic fallback position for the erection of a porch on this elevation, which could potentially be erected without the need for planning permission, using Permitted Development Rights in Class D of Part 1 of Schedule 2 of the General Permitted Development Order. Whilst such an addition would be smaller in terms of footprint, it could potentially have the same depth of projection and would only be 0.2m lower in height, and the Local Planning Authority would have no control over its external appearance or proximity to the boundary with the neighbouring dwelling.

- 6.4. In terms of the rear extension, the set in from the boundaries with the neighbours would lessen the impact upon the attached neighbouring dwellings and their rear gardens. The impact would also be further reduced to the dwelling to the south as it already has its own significant rear extension (granted as Permitted Development via a Prior Notification DC/15/1145/PNH).
- 6.5. In terms of the currently proposed rear extension, the depth of projection, the height of the eaves and the highest point of the roof lantern, would all be less than the maximum to be Permitted Development under Class A of Part 1 of Schedule 2 of the General Permitted Development Order. This addition only appears to require consent due to the proposal to use red brick which is not an existing material on the dwelling. Therefore, there would be no greater impact upon the amenity of adjoining residents than a proposal that could potentially be constructed using Permitted Development.
- 6.6. Therefore, the scheme is acceptable in terms of residential amenity considerations, and accords with the NPPF, Local Plan Policy SCLP11.2, and Supplementary Planning Guidance 16.

Visual Amenity

- 6.7. It is acknowledged by officers that the proposed porch/front extension would be visible from public vantage points and change the appearance of the dwelling and wider terrace. However, a proposal cannot be refused simply because it results in change. The consideration has to be the visual impact that change would have upon the building and its locality, and whether that change is visually harmful or not.
- 6.8. In this case the terrace appears to have had few changes to its front elevation since its original construction, and therefore any front addition would represent a significant change. The revised design to the footprint of the porch/front extension and the change from a gabled roof to a lean-to roof, means that the addition more appropriately reflects the horizontal visual emphasis of the appearance of the front elevation of the terrace.
- 6.9. As explained in Paragraph 6.3 above, a porch of this form in this position could be erected using Permitted Development Rights without the need for specific Planning Permission. Whilst any such proposal would have to be smaller than the existing proposal, it would only need to be 0.2m lower in height, and in order to meet the 3sqm footprint requirement could potentially have the same depth of projection (1.6m) with a narrower width (1.875m).
- 6.10. An alternative scheme that could also be Permitted Development would be a slightly narrower porch addition (3m instead of the currently proposed 3.1m), and a reduction in the depth of projection to 1m (instead of 1.6m currently proposed).
- 6.11. Both of the Permitted Development options outlined above would have a visual impact upon the terrace and therefore the principal of a visual change being made to the terrace has to be accepted (both options will be illustrated in sketches as part of the presentation at the Planning Committee meeting).
- 6.12. Either option could also potentially have a different form of roof to that currently proposed (e.g. a projecting gabled of the form originally proposed in this application)

which would be less visually appropriate than the scheme currently under consideration, and the Local Planning Authority would have no control over its appearance.

- 6.13. The currently proposed front addition is considered a visually appropriate addition which should be supported.
- 6.14. The choice of red brick for the walls would contrast with the existing materials. However, in some instances such as this a contrast is appropriate and can add interest. It is an appropriate addition to this property.
- 6.15. It is also important to note that the Permitted Development Rights in Class D of Part 1 of Schedule 2 of the General Permitted Development Order do not control the external materials, so if the applicants opted for one of the potential fall back Permitted Development options outlined above, they could construct it from red brick or any other external materials, with a similar visual impact upon the wider terrace. Therefore it would be inappropriate to seek to resist red brick in this case, even if they were considered to be inappropriate.
- 6.16. As referred to above, the rear extension would also be constructed from red brick, which would provide an interesting contrast to the existing building. The rear extension would be largely hidden from public vantage points by its location on the rear of the terrace. There is a pedestrian access pathway to the rear, but this is really to provide the residents access to their rear gardens rather than being a public pathway, and the garden is enclosed, so the rear addition would have limited visual impact.
- 6.17. Both additions are of a form that are subservient to the existing dwelling and would not be over dominant. They respect the form, scale and appearance of both the dwelling and the wider terrace.
- 6.18. Therefore, the scheme is acceptable in terms of visual amenity considerations and accords with the NPPF, SCLP11.1 and SPG16.
- 6.19. It is noted that the Parish Council has said the proposal is contrary to Policy MAR4 of the Martlesham Neighbourhood Plan. However, in the view of officers, this policy is not applicable to this application. The wording of this policy and the accompanying text relate to residential development i.e. new dwellings, rather than extensions and alterations to existing properties. However, the points of consideration within the policy are akin to the considerations and requirements of Policy SCLP11.1 and SPG16. Therefore, the scheme also accords with MAR4 if it was deemed to be applicable.

Other comments from third parties

- 6.20. It is noted that the third-party comments refer to matters of existing drainage and soakaways. These are not a matter the Local Planning Authority can control via this application.
- 6.21. The comments regarding the consultation with other neighbours is noted. However, the consultation process has been undertaken entirely in accordance with the Development Management Procedure Order and the ESC Statement of Community Involvement. Those

neighbours sharing a boundary with the application property were notified by letter and a site notice was also posted.

7. Conclusion

- 7.1. This scheme is acceptable in terms of visual and residential amenity. The additions would also accord with Policies SCLP11.1 and SCLP11.2, and Supplementary Planning Guidance 16. Therefore, Planning Permission should be granted.

8. Recommendation

- 8.1. Approve subject to the conditions set out below.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, Proposed Ground Floor Plan and Proposed Elevations (revised December 2021); received 27 January 2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

Informatives:

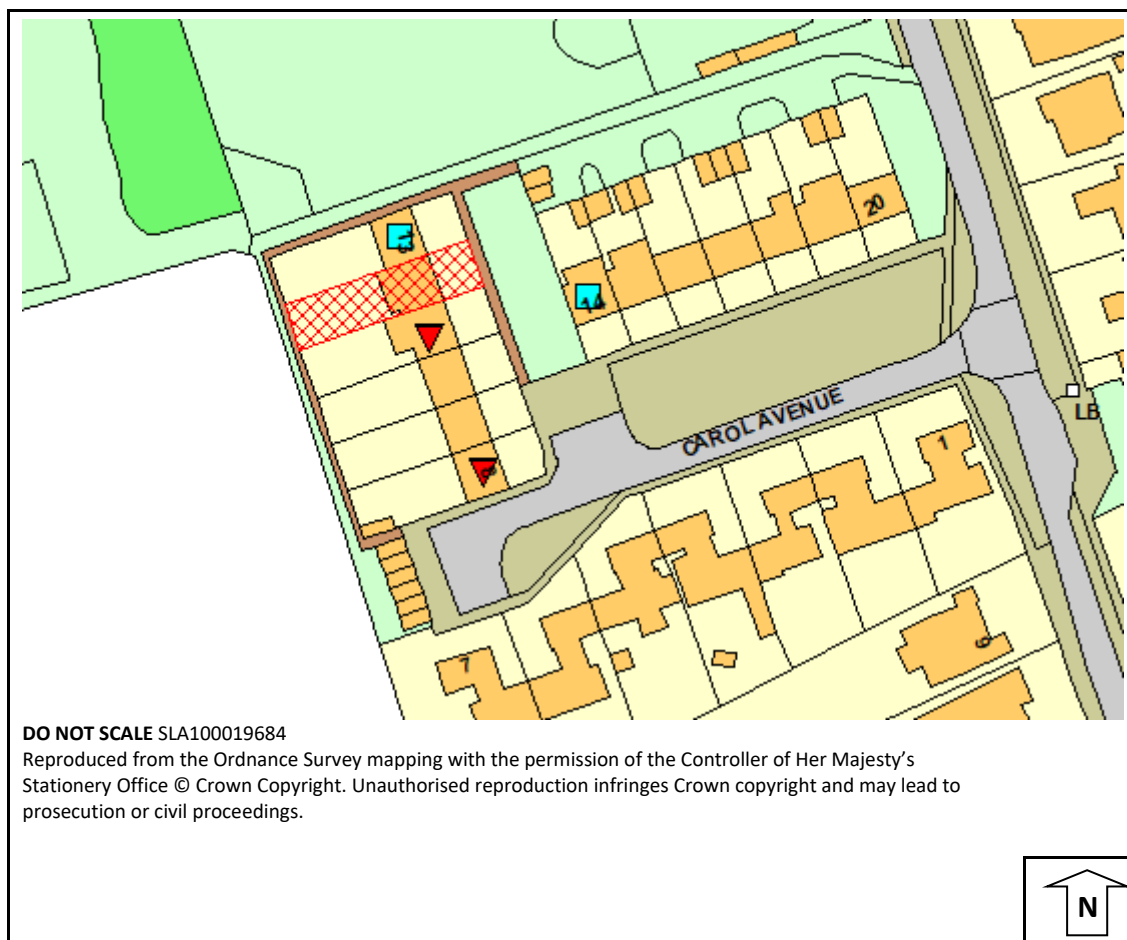
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. building regulations) and it is the

applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

Background information

See application reference DC/21/4748/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 22 March 2022

Application no DC/21/4052/FUL

Location

Seaside House
27 Bath Road
Felixstowe
IP11 7JN

Application type Full Application

Applicant Mr Nigel Goodridge

Parish Felixstowe

Proposal Retrospective Application for retention of development comprising: cladding along the rear side and back of No27; and a balcony and stair on the 1st floor gable end

Case Officer Grant Heal
07833 403193
grant.heal@eastsoffolk.gov.uk

1. Summary

Proposals and recommendation

- 1.1 Planning permission is sought for the retention of works comprising the installation of cladding to rear/side elevations and the erection of a free-standing balcony with stairs at Seaside House, no.27 Bath Road, Felixstowe.
- 1.2 Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the Planning (Listed Buildings and Conservation Areas) Act, the NPPF and the relevant policies of the adopted Local Plan.

Reasons the item is at Planning Committee

- 1.3 Notwithstanding, the referral process was triggered in accordance with the Council's scheme of delegation because the 'minded to' decision of the Case Officer is contrary to the Town Council's recommendation to refuse the application.
- 1.4 The application was therefore presented to the referral panel on Tuesday 22 February 2022 where members felt that the merits and impacts of the implemented works warranted further consideration at planning committee.

Dormer windows

- 1.5 During the referral panel meeting, members sought clarification on whether the installation of two dormer windows apparent on the rear and side elevations of the application property had previously been consented through the application process or whether such works would constitute Permitted Development.
- 1.6 The dormer windows on the rear (west) and southern roof slopes require Planning Permission, as the property is located within a Conservation Area, so additions to the roof can not be undertaken as Permitted Development under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. They do not form part of the current application and therefore are not a matter for consideration at this time. They will need to be the subject of a separate application, to be determined at a later date. The applicant has been advised of this.

2 Site Description

- 2.1 The site is a two-storey semi-detached dwelling in red brick with frontage onto Bath Road. The property benefits from off-road parking and rear amenity areas. The wider area is characterised as residential.
- 2.2 The site lies within character area 5 (East of Hamilton Road) of the Felixstowe Conservation Area and the subject dwelling is identified as a 'Positive Unlisted Building'. The streetscape is generally referred to within the Felixstowe Conservation Area Appraisal (2020) as follows:

'Bath Road is composed of large detached and semi-detached villas, some with extravagant displays of wrought ironwork of outstanding quality and design'.
- 2.3 The development site is not considered to lie within the immediate setting of any listed buildings; the nearest being the Grade II listed 'Stable and Coach House' block at Felixstowe tennis club on the opposite side of Bath Road.
- 2.4 The Case Officer notes that at least two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road also enjoy first-floor rear facing balconies. Balconies also appear on no.45 and no.49 Bath Road.
- 2.5 The use of horizontally laid weatherboard cladding is also evident on other properties within the immediate area - as noted several times within the Conservation Area Appraisal - and appears on the gables of street-facing dormers seen on neighbouring properties.

2.6 The Felixstowe Conservation Area is not subject to any 'Article 4 Directions'.

3 Proposal

- 3.1 This application seeks Planning Permission for the retention of works comprising the installation of cladding to rear/side elevations and the erection of a free-standing balcony with stairs at Seaside House, no.27 Bath Road, Felixstowe.
- 3.2 The cladding comprises a composite weatherboarding installed in a horizontal configuration to the subject properties western (rear) and southern (side) facades from ground level to eave height.
- 3.3 The balcony is of black coloured wrought iron with one-metre-high handrail and external staircase. It is raised to first floor-level (2.7 metres high) and stretches across the full width of the property's rear-facing elevation.
- 3.4 An original box-shaped bay window, suspended at first-floor level, was removed as part of the works and a new set of white UPVC French doors were installed in its place to enable balcony access.
- 3.5 The dormer windows on the rear (west) and southern roof slopes require Planning Permission, as the property is located within a Conservation Area, so additions to the roof can not be undertaken as Permitted Development under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. They do not form part of the current application and therefore are not a matter for consideration at this time. They will need to be the subject of a separate application, to be determined at a later date.

4 Consultees

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|--|-----------------|---------------------|
| Felixstowe Town Council | 14 October 2021 | 4 November 2021 |
| <p>“Committee recommended REFUSAL.</p> <p>Committee objects strongly to this application. We feel that the various elements of the application individually and collectively neither preserve nor enhance the Conservation Area according to policy SCLP11.5. We bitterly regret the loss of the distinctive oriel bay window and the chimney. We acknowledge the applicant's statement that there are other buildings in the Conservation Area with traditional Victorian weatherboarding, and balconies to the rear or front. However, whilst we do not object to the balcony in principle, we feel that the balcony as constructed is particularly modern and utilitarian and does not contain any ornate Victorian features. The modern concrete hardiplanking does not replicate traditional wooden weatherboarding and sits in contrast and incongruously with the adjoining neighbour.”</p> | | |

Non statutory consultees

| Consultee | Date consulted | Date reply received |
|---|-----------------|---------------------|
| East Suffolk Design And Conservation | 17 October 2021 | No response |
| Summary of comments: Internal consultation - see officer report. | | |

Publicity

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

| Category | Published | Expiry | Publication |
|-------------------|-----------------|------------------|--------------------------|
| Conservation Area | 21 October 2021 | 11 November 2021 | East Anglian Daily Times |

Site notices

| | |
|---------------------|--|
| General Site Notice | Reason for site notice: Conservation Area Date posted: 22 October 2021 Expiry date: 12 November 2021 |
|---------------------|--|

5 Third Party Representations

- 5.1 One third-party representation of objection has been received which raises concerns relating to the development's impact on the character of the conservation area and host property. Impacts on residential amenity from increased overlooking and light pollution are also cited.
- 5.2 Four third-party representations of support have also been received which note the complementary nature of development relative to other dwellings within the area (no.31). The presence of rear-facing balconies and weatherboarding evident on other properties within the vicinity is also cited.
- 5.3 Occupants of the adjoining property (no.29) have also highlighted that the subject dwelling did previously benefit from a rear-facing balcony.

6 Planning policy

National Planning Policy Framework 2021

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

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

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

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

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

7 Planning Considerations

Planning history

- 7.1 No relevant planning history is available for the application site.

Permitted Development

- 7.2 While the subject property does appear to benefit from Permitted Development Rights, the works sought to be retained by this application (i.e. installation of cladding and balcony) require Planning Permission as they do not meet the requirements to be Permitted Development as defined within the General Permitted Development Order.
- 7.3 Concerning the removal of the box-shaped bay window, it is noted that permission is not required to demolish an unlisted building which does not exceed 115 cubic metres in a Conservation Area. Equally, the removal of architectural details, making holes in walls to create new windows, or demolishing one wall to allow an extension on an unlisted building within a Conservation Area would not amount to demolition and so would not require planning permission.

Planning principle

- 7.4 The site falls within the Settlement Boundary (SCLP3.3) of Felixstowe; which is categorised as a 'Major Centre' within the Settlement Hierarchy (SCLP3.2) of the adopted development plan.
- 7.5 The proposal relates to the enhancement of an existing dwelling and therefore the planning principle is considered acceptable, subject to a satisfactory assessment of other material planning matters, as set out below.

Visual amenity and Impact upon the Conservation Area

- 7.6 Following a site visit undertaken by the Case Officer, it is confirmed that the composite weatherboarding sought to be retained by this application cannot be viewed within the

street scene experienced along Bath Road. This is due to the cladding's rear/side position and the close proximity of no.25 (adjacent south) which restricts the view to be gained between properties.

- 7.7 While a glimpsed view of the subject property's rear/side elevation can be gained from Quilter Road (between no's. 6 and 10), the effect of the cladding is somewhat muted by the presence of similar horizontally laid cladding evident on no's. 6 and 4.
- 7.8 Indeed, the presence of similar weatherboard cladding is a prominent feature within the Felixstowe Conservation Area and it appears on other properties along Bath Road, including the gables of street-facing dormers seen on no's. 25 and 23 (adjacent south).
- 7.9 While it is accepted that the installed cladding does not reflect the red brick exterior of the adjoining property's rear elevation, it is nevertheless found that the works do not appear incongruous when viewed in context.
- 7.10 Given the former state of the host property's rear elevation, which included mismatched brick work and unsympathetic repairs, it is felt that the cladding provides a degree of enhancement.
- 7.11 With the above in-mind, it is found that the installed cladding presents a low degree of less than substantial harm to the visual appearance of the subject dwelling and overall quality of the wider Conservation Area.
- 7.12 The black coloured lightweight wrought iron frame of the installed balcony and external stairs appear visually quiet and sympathetic when viewed in context with the wider site.
- 7.13 The structure's utilitarian character, rear siting and the presence of similar black wrought iron features on the subject property's street-facing elevation, make it unreasonable to conclude that the constructed balcony/stairs present any meaningful harm to the host property and quality of the wider Conservation Area as a whole.
- 7.14 It is otherwise noted that rear-facing balconies appear on at least two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road. Balconies also appear on no.45 and no.49 Bath Road, including original rear-facing wrought iron structures.
- 7.15 With consideration of the above, it is noted that the NPPF (para.203) requires that when 'weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 7.16 Following discussion with Council's Design and Conservation Team, it is considered that the building's contribution to the Felixstowe Conservation Area lies primarily in its principal elevation when viewed within the street scene. In this regard, the works are deemed to have had an overall neutral impact on the historic significance of the Conservation Area.
- 7.17 While it is otherwise unclear whether the property subject to this application should be considered as a Non-Designated Heritage Asset (NDHA), Council officers nevertheless find that if it were to be considered as such, then the scale of impact on the host and neighbouring dwelling presented by the development amounts to a lower degree of less

than substantial harm - primarily arising from the contrast in materials now evident between the host and adjoining dwelling's.

- 7.18 In this regard, such harm is partially offset by the use of high-quality materials and forms that collectively provide a degree of enhancement for the building and wider Conservation Area, when judged against the former state of the building's rear elevation which appeared as an unsightly array of mismatched materials and unsympathetic repairs.
- 7.19 Accordingly, the works subject to this application are found to be acceptable and the statutory tests of the Planning (Listed Buildings and Conservation Areas) Act are met.
- 7.20 The proposal is otherwise consistent with guidance contained within the Council's Historic Environment SPD (June 2021) and the requirements of SCLP11.1 (Design Quality), SCLP11.3 (Historic Environment), SCLP11.5 (Conservation Areas) and SCLP11.6 (Non-designated Heritage Assets) of the adopted Local Plan are fulfilled.

Residential amenity:

- 7.21 In assessing the application's potential to impact on the amenity enjoyed by neighbouring residents, it is important to note that two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road also enjoy first-floor rear facing balconies.
- 7.22 While no evidence has otherwise been presented to officers to suggest that the subject property did itself previously benefit from a similar rear-facing balcony, it is nevertheless found that a mutual degree of overlooking to and from the rear elevations of properties fronting Quilter Road (no's. 10 and 12) have always been experienced by occupants in some form, as is generally experienced within the majority of high-density residential areas.
- 7.23 It is also considered that views otherwise gained from the application property's upper storey windows, and the suspended bay window since removed, grant the applicant/owners with similar sightlines towards neighbouring rear sitting-out areas.
- 7.24 Further, it is noted that a distance in excess of 30 metres otherwise remains between the installed balcony handrailed edge and the nearest rear elevation of properties fronting Quilter Road.
- 7.25 The Local Planning Authority are otherwise limited in their ability to control the use of external lighting installed on the rear elevation of the subject property.
- 7.26 With the above in-mind, it is concluded that, while the installed balcony does allow the applicant/owner a marginally closer view of the rear elevations of properties fronting Quilter Road, such impacts are not otherwise considered to fall below the measure of acceptability, when judged against the relevant provisions of the NPPF and SCLP11.2 (Residential amenity) of the adopted Local Plan.

Highway safety and parking:

- 7.27 The development does not have any impact on existing parking/manoeuvring arrangements and does not therefore undermine SCLP7.2 (Parking proposals and standards) of the adopted development plan.

8 Conclusion

- 8.1 As per the above assessment, this application broadly accords with the Planning (Listed Buildings and Conservation Areas) Act, the NPPF and the relevant policies of the adopted Local Plan. It is also therefore acceptable in terms of all relevant material planning considerations and therefore should be supported.

9 Recommendation

- 9.1 This application should be approved and the existing works retained subject to the following conditions.

Conditions:

1. The development hereby permitted shall be retained in accordance with the details received by application validated on 12 October 2021, including the following drawing(s) and document(s):
 - Proposed block plan (received 11 October 2021);
 - Site location plan (received 11 October 2021);
 - 'Balcony viewed from back garden' (received 11 October 2021);
 - 'Gable end wall viewed from back garden' (received 11 October 2021).

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

2. The materials and finishes shall be retained as indicated within the submitted application, unless otherwise agreed by the Local Planning Authority.

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

3. The hereby approved cladding shall be retained in the approved form to all elevational walls apart from the subject building's front elevation and the south facing side gable on the original main building, directly adjoining the front elevation. No further cladding shall be installed.

Reason: For the avoidance of doubt as to what has been approved and in the interest of protecting visual amenity and the special historic interest of the Conservation Area.

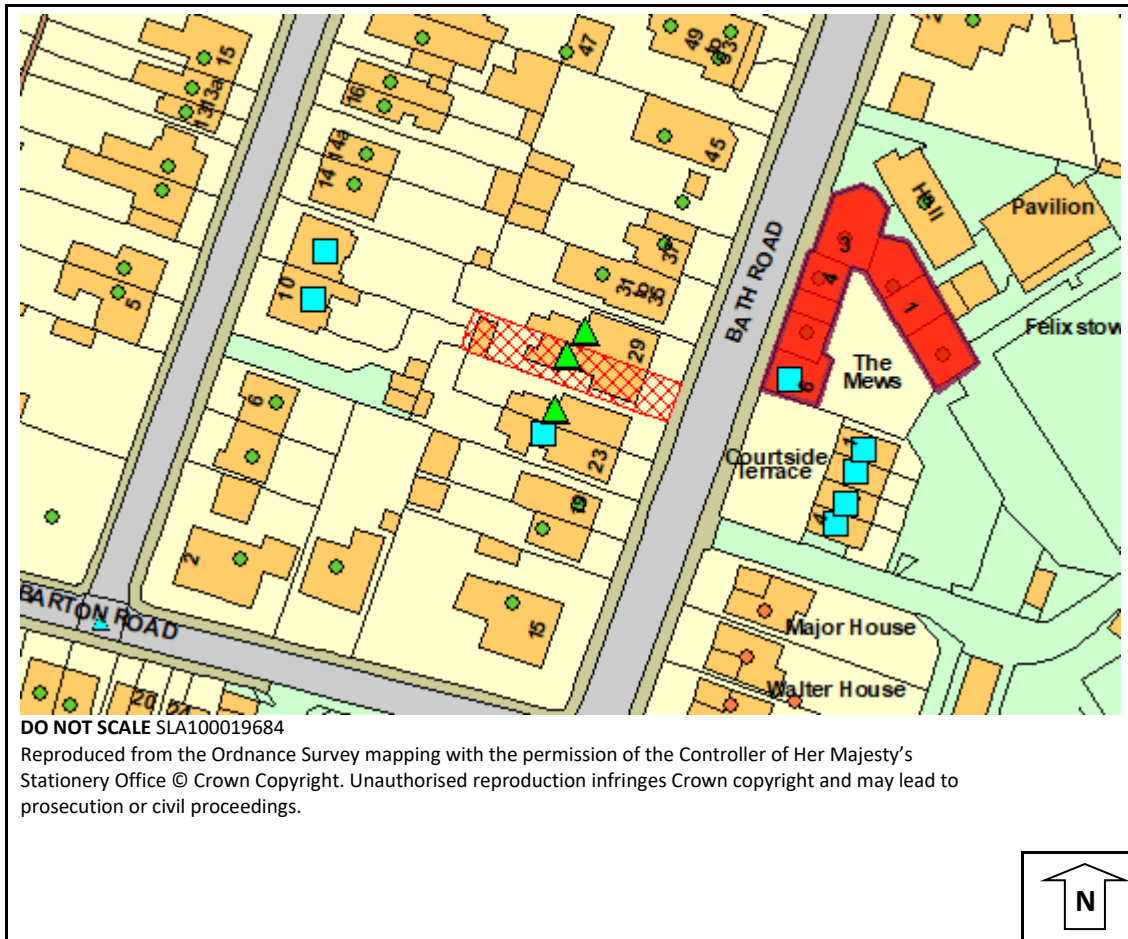
Informatives:

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.





Background information

See application reference DC/21/4052/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South – 22 March 2022

Application no DC/21/5183/FUL

Location

10 Haughley Drive
Rushmere St Andrew
Ipswich
Suffolk
IP4 5QU

Expiry date 8 February 2022

Application type Full Application

Applicant Mrs Valerie Vertigans

Parish Rushmere St Andrew

Proposal Remove existing fence along the west boundary. Erect new fence one metre from path leaving a space for the replanting of hedges and vegetation.

Case Officer Jamie Behling
07919 303788
Jamie.Behling@eastsoffolk.gov.uk

1. Summary

- 1.1. The proposed development is to replace a boundary wall with a fence closer to the pavement with a one metre gap for planting, enlarging the residential curtilage of the site.
- 1.2. The officer recommendation to approve is contrary to the recommendation of the Town Council and Ward Member. The application was subject to consideration by the Referral Panel on 15.02.22 with a recommendation that the application be determined under delegated powers. The Panel recommended that the application be referred to Planning Committee (North) for determination.

2. Site Description

- 2.1. 10 Haughley Drive is a detached, two-storey residential dwelling located within the settlement boundary of Rushmere St Andrew. The site forms a corner plot where the road

splits into two cul-de-sacs with the plot being on the east side of the road junction. Along the west boundary of the property is a verge outside the current residential curtilage divided by a brick wall, planted with a mixture of hedges.

3. Proposal

- 3.1. The proposal seeks to replace the brick wall with a close boarded timber fence positioned closer to the path, leaving a one metre gap for new planting.

4. Consultees

Third Party Representations

- 4.1. No third-party representations received.

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|---|----------------|---------------------|
| Rushmere St Andrew Parish Council | 4 January 2022 | 17 January 2022 |
| Summary of comments: Rushmere St Andrew Parish Council "Rushmere St Andrew Parish Council recommends REFUSAL. The reason for the refusal is that at present this site provides a pleasant green border to the developed area as was envisaged as part of the original planning application. The application would harden the soft landscaping of this area and the proposal would have a detrimental impact on the amenity of the area and the open character of the area." | | |

Statutory consultees

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| SCC Highways Department | 4 January 2022 | 7 January 2022 |
| Summary of comments: No objection. | | |

Publicity

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 January 2022

Expiry date: 28 January 2022

5. Planning policy

National Planning Policy Framework 2021

SCLP5.14 - Extensions to Residential Curtilages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

6. Planning Considerations

- 6.1. The proposal is effectively seeking a change of use from land falling into a *suis generis* use class to residential curtilage. This is an acceptable form of development so long as it meets the criteria set out under policy SCLP5.14. Extensions to residential curtilages will be permitted where:
- 6.2. "a) The resulting size of the curtilage reflects the scale and location of the dwelling;
b) They do not result in the removal of an existing hedgerow of native species unless replaced by a similar hedgerow;
c) They do not have a harmful impact on the historic environment, landscape or character of the area, including as a result of developments ancillary to the residential use; and
d) The proposed boundary feature of the extended curtilage is of a form which reflects its location and the character of the area."
- 6.3. The proposed extension to the curtilage is relatively minor and would not make the new curtilage disproportionately larger than surrounding properties. The removal of the existing hedgerow is unfortunate however it is to be replaced with one of equal amenity value and would be more manageable for the owner, especially considering it currently overhangs a pavement. The additional curtilage would not have a substantially harmful impact on the character of the area nor the landscape and being in a built up, urban area, the new boundary feature would not be out of character for its location. Other properties in the area have also had similar schemes approved under reference numbers DC/17/3412/FUL at No.15 opposite the site and DC/20/1940/FUL at No.28 in the corner of the opposite cul-de-sac.
- 6.4. The extension of the curtilage would remove some depth of the vegetation separating the path with the new fence however this would be offset by the new *Griselinia littoralis* planted between the fence and path. This particular plant will be conditioned to the application to ensure a strong screening of the fence as it grows quickly, is easy to maintain and looks good all year round. It can grow up to three to four metres tall completely screening the fence from the footpath and ensuring a natural sense is maintained within the area. Whilst given time the proposed planting would mature to a height that would screen the proposed fencing, it is recommended that the fence is conditioned to be stained a dark colour in the interests of amenity.
- 6.5. The proposal will conserve the character of the area through the provision of a new more manageable planting scheme that will have only a minor impact to the overall visual amenity of the area through a soft, green planting scheme being replaced with a slightly harder but similar natural scheme that will be under the responsibility of the owner due to

the vegetation still being on their land. The proposal therefore complies with SCLP11.1 in that it will retain the character of the area. There will be minimal public amenity lost once the hedges have grown to their full size, with the green verge being retained as such.

- 6.6. The proposal would not harm the residential amenity of neighbours with this boundary only being shared with the pavement and road. The removal of the existing planting would not provide any new views in or out of the site and therefore the residential amenity of the site itself and the neighbours would remain intact. The scheme therefore complies with policy SCLP11.2.

7. Conclusion

- 7.1. In conclusion, the adoption of part of this parcel of land into the curtilage of the adjacent residential dwelling would not cause significant harm to the amenity of the area nor would it drastically alter the character of the locality so long as measures are put in place to reinstate the greenery along the boundary. This will be done through the proposed conditions set out below.

8. Recommendation

- 8.1. Approve subject to the conditions listed in section 9 of this report.

9. 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 Block Plan, Fence Details received 16/12/2021 and site plan received 16/11/2021, 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 western site boundary (adjacent the hereby approved new fence) shall be planted as a *Griselinia littoralis* not later than the first planting season following the commencement of the development; and any plants which die during the first three years shall be replaced in the next planting season.

Reason: In the interests of amenity and the appearance of the locality.

4. Within 3 months of the fence being erected, the timber sections of the hereby approved fence shall be stained in a dark colour and be retained in that colour thereafter.

Reason: In the interest of visual amenity.

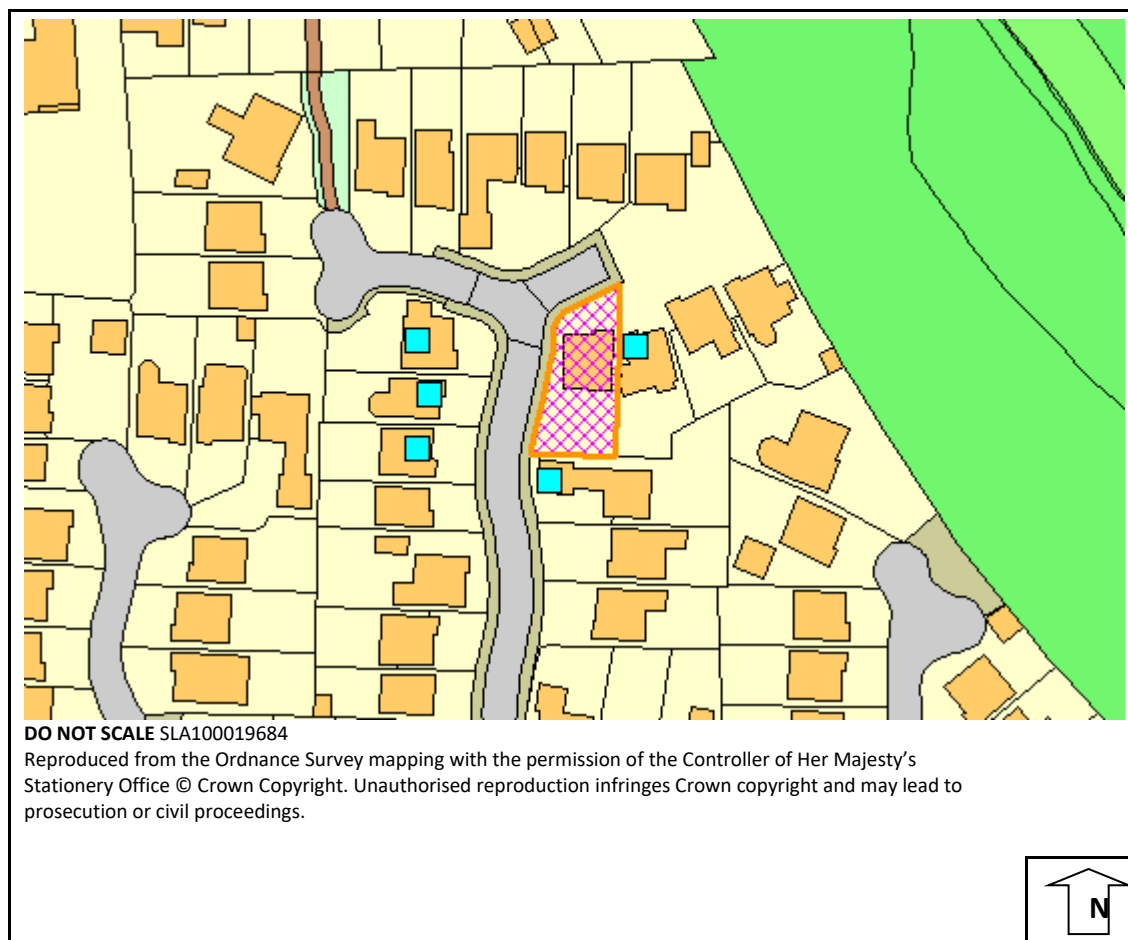
Informatives:

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





Background information

See application reference DC/21/5183/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South - 22 March 2022

Application no DC/20/5252/VOC

Location

Riduna Park
Station Road
Melton
Woodbridge
Suffolk
IP12 1QT

Expiry date 24 March 2021

Application type Variation of Conditions

Applicant Riduna Holdings Ltd

Parish Melton

Proposal Variation of Condition 13 of C/09/0584 - Development of two storey business units to include offices, workshops, coffee shop/cafe & associated external works, off site highway works.

Case Officer Rachel Smith
07887 452719
rachel.smith@eastsuffolk.gov.uk

1. Summary

- 1.1. The application seeks to vary condition 13 of planning permission C09/0584 which permitted the development of two-storey business units within Melton. Development of the site is now complete and is known as Riduna Park. Condition 13 restricts the use of the units across the whole site to (previous use class classifications) of B1, B2 or A2 and one unit being permitted to be an A3 cafe use. The application originally sought to remove this restriction on use to enable all units to be able to be used within the new 'Commercial', Class E Use Class. Following concerns raised regarding the potential impact on Woodbridge Town Centre and in accordance with policy, a revised proposal to include up to a maximum of six units (excluding the existing cafe (Unit 1), East Suffolk House and units 7-9 (those currently occupied by East Suffolk Council) to have a more flexible Class E use. The applicant agreed to this proposal and it is on this basis that the recommendation is for approval.

Reason for Committee

- 1.2. The application site includes land owned by East Suffolk Council.

2. Site Description

- 2.1. The application site is located within the defined physical limits boundary of Melton and falls within the allocation of Policy MEL20 of the Melton Neighbourhood Plan. The site is currently used as a business park comprising a number of two-storey business units, designed in east-west orientated rows. At the front of the site is East Suffolk House, the largest individual unit in a curved design fronting Station Road but also clearly visible as the entrance to the site from Wilford Bridge Road. The units to the rear of this are built in blocks of three, two-storey units although it is understood that some have been sub-divided into smaller units occupying only a ground or first floor.
- 2.2. The site is accessed off Station Road but lies in close proximity (to the north) of Melton Railway Station and other existing employment areas to the south of Wilford Bridge Road. To the north and east of the site are residential dwellings. To the east is a commercial site currently used for the storage of containers.

3. Proposal

- 3.1. The proposal seeks to vary condition 13 of the original planning permission relating to the development of the business park (C09/0584). Condition 13 of this permission is as follows:
- “Units 7, 8, 9, 16, 17, 18, 25, 26 & 27 shall only be used for B1 office uses; all other business units shall only be used for B1 or A2 uses as defined in the Town and Country (Use Classes) Order 1987 (as amended). The proposed cafe shall only be used for Class A3 uses as defined in the aforementioned Use Classes Order.
Reason: To prevent a loss of amenity to nearby local residents.”
- 3.2. The application, as originally submitted, sought to change this condition to read "The units shall only be used for Class E commercial, business and services uses as defined in the Town and Country (Use Classes) Order 1987 (as amended)" with the reason for this change

being sought being "In order to bring into line with government policy and to assist with occupying vacant units."

3.3. The applicant has since agreed to the proposed variation of condition to read as follows:

"The premises herein referred to, shall be used for purposes within Use Class E(c) and E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order) with the exception of Unit 1 which shall be used for a purpose within Class E (b) and a maximum of six units (out of Units 2-6 and 10-27) at any one time which may be used for any purpose set out within Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order).

Reason: In order that the local planning authority may retain control over this site in the interests of amenity, the protection of the local environment and to ensure there would be no adverse impact on the vitality and viability of Woodbridge Town Centre."

4. Consultees

Parish/Town Council

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| Bawdsey Parish Council | 5 January 2021 | No response |
| Summary of comments: None received | | |

| Consultee | Date consulted | Date reply received |
|--|----------------|---------------------|
| Bromeswell Parish Council | 5 January 2021 | 16 January 2021 |
| Summary of comments: Bromeswell Parish Council supports this application for a variation of conditions. | | |

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| Sutton Parish Council | 5 January 2021 | No response |
| Summary of comments: None received | | |

| Consultee | Date consulted | Date reply received |
|---|----------------|---------------------|
| Woodbridge Town Council | 5 January 2021 | 13 January 2021 |
| Summary of comments: Noted, application address not in our Parish. | | |

| Consultee | Date consulted | Date reply received |
|--|----------------|---------------------|
| Melton Parish Council | 5 January 2021 | 28 January 2021 |
| Summary of comments: Melton Parish Council Planning and Transport Committee considered this application at its meeting on 27 January 2021 and decided to make no comment. | | |

Statutory consultees

| Consultee | Date consulted | Date reply received |
|--|----------------|---------------------|
| SCC Highways Department | 5 January 2021 | 8 January 2021 |
| Summary of comments: We do not consider that the proposed change of use class for the business units would result in a significant increase in traffic generation or parking demand, therefore we do not wish to restrict the granting of permission. | | |

Non statutory consultees

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| SCC Fire And Rescue Service | 5 January 2021 | No response |
| Summary of comments: None received | | |

| Consultee | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| East Suffolk Environmental Protection | 5 January 2021 | 13 January 2021 |
| Summary of comments: No objection | | |

| Consultee | Date consulted | Date reply received |
|---|----------------|---------------------|
| East Suffolk Economic Services - N. Rickard 50+ Dwellings | 5 January 2021 | No response |
| Summary of comments: None received | | |

| Consultee | Date consulted | Date reply received |
|---|----------------|---------------------|
| East Suffolk Planning Policy | N/A | 1 July 2021 |
| Summary of comments: Comments included in report | | |

5. Third Party Representations

- 5.1 A total of six letters have been received from third parties in relation to this application. Four of these support the proposal, One objects and another makes comments. The points made within the letters are summarised as follows:

Support

- Help the business park stay a vibrant business community
- Well managed park with supportive management
- Will allow the local community to flourish
- Park needs to be able to respond to changing climate
- Parking needs to be considered
- There is such a need for mixed use

Comments

- The conditions attached to the original permission were made, in many cases, "to prevent a loss of amenity to nearby local residents" so it seems morally wrong to change them.
- Incremental changes have already occurred
- Needs to be a balance between the economic benefits of the site and impact on local residents
- There is a much greater noise level now with more movement of cars and people on the site and for longer (even in these covid restricted times) than originally envisaged.
- A substantial loss of trees and vegetation has been sanctioned,
- Access from St Andrews Close was never in the planning permission so why isn't this rectified.
- If there was a greater natural barrier between the site and St Andrews Place, St Andrews Close, Station Road and Wilford Bridge Road it would be beneficial to all and it would be easier to accept some change in conditions of the original planning permission. It seems that many of the planning conditions put in place to protect local residents have been eroded over time.

Objection

- There is enough on Riduna Park already .
- There is enough traffic going down station road as it is

- Melton is being ruined by up and coming development.
- There is already a coffee shop we don't need another one

6. Publicity

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

| Category | Published | Expiry | Publication |
|-------------------|-----------------|-----------------|--------------------------|
| Major Application | 14 January 2021 | 4 February 2021 | East Anglian Daily Times |

Site notices

| | |
|---------------------|---|
| General Site Notice | Reason for site notice: Major Application Date posted: 11 January 2021 Expiry date: 1 February 2021 |
|---------------------|---|

7. Planning policy

National Planning Policy Framework 2021

SCLP4.8 - New Retail and Commercial Leisure Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

MEL20 Melton Neighbourhood Plan (made January 2018)

8. Planning Considerations

- 8.1. Class E covers a wide range of uses, including retail, financial and professional services, the sale of food and drink, indoor sport, health services, creches and day nurseries. The applicant intends to widen the range of different uses permitted at the site following their claim that this will make them easier to let now that the demand for office space has contracted in light of the Covid 19 pandemic. As this change would result in the loss of employment space and enable retail uses at the site, a retail impact assessment has been provided.
- 8.2. Policy SCLP4.1 (Existing Employment Areas) seeks to protect employment sites from changes of use, including those allocated within Neighbourhood Plans. The policy states that 'New development for employment uses which takes place during the plan period (including sites currently with consent for employment use) will be treated as existing Employment Areas for the purposes of this Policy and Policies SCLP4.2, SCLP4.3 and SCLP4.4.' This includes the application site, which has planning permission for employment use and which Melton Neighbourhood Plan Policy MEL20 allocates for employment use. Policy SCLP4.4 seeks to protect established B class uses unless a marketing exercise has been undertaken in accordance with Appendix E of the Suffolk Coastal Local Plan, or there

is a substantial planning benefit in allowing other types of use, which must also be compatible with other uses in the surrounding area.

- 8.3. The adopted Melton Neighbourhood Plan allocates the Riduna Park site in policy MEL20. This is a large allocation that includes residential development, community uses, 9000 square metres of B1 (business) floor space and retail uses. Paragraph 10.13 of the neighbourhood plan states that the employment part of the allocation is needed to provide flexible employment floor space to meet growing demand from start-up businesses, micro-businesses and self-employed workers. Paragraph 10.14 adds that the business part of this allocation should primarily be occupied by office and research and development uses. Business floorspace should therefore be retained in order to comply with the Melton Neighbourhood Plan. Paragraph 10.15 of the Neighbourhood Plan states that the retail uses on this site should be ancillary to the business uses and are envisaged as merely being there to support the business uses. This could include, for example, small shops and or cafes that serve employees of businesses on the Riduna Park site and surrounding residential areas. Policy MEL20 does not therefore envisage retail serving a wider area or competing with Woodbridge town centre.
- 8.4. The National Planning Policy Framework (NPPF) sets out two key tests for considering out of town retail proposals that are not in accordance with planning policies, the sequential test and the impact test. The sequential test is set out in NPPF paragraphs 86 and 87. It states that town centres are the preferred location for retail and other town centre uses, followed by edge of centre sites. Policy SCLP4.8 (New Retail and Commercial Leisure Development) adds to this by stating that an edge of centre retail site should be located within 300 metres of the primary shopping area. Only if town centre and edge of centre sites are not available should out of town locations, such as Riduna Park, be considered.
- 8.5. The RIA identifies four currently vacant units in Woodbridge town centre but concludes that they are not suitable. This is because each unit is located in a historic building and would need reconfiguration work for it to be used by a modern retailer. Furthermore, the RIA states that each of the four units would be difficult to reconfigure because they are situated in a conservation area and a high proportion of town centre retail units are situated within Listed buildings. They also suffer from poor vehicular access. However, the RIA does not state a proposed end user or their requirements in terms of floor space, store configuration or vehicular access and therefore it is not possible to be sure that potential retail operators would not want to use any of the town centre units.
- 8.6. Riduna Park is more than 300 metres from Woodbridge town centre and so is clearly in an out of centre location, which is not a sequentially preferable site. The roads linking Riduna Park to the town centre are busy and, although there are pavements, there are no designated cycle lanes. There is a train station on the opposite side of the A1152, as well as a bus stop. However, it is not clear that Riduna Park is well linked to Woodbridge town centre. Certainly, the two are not close enough together or well linked enough to encourage linked trips between the two locations.
- 8.7. The sequential test is detailed in paragraph 89 of the NPPF. It states that the floor space threshold above which an impact test is required for out-of-town retail proposals is 2,500 square metres unless there is a locally set threshold. Policy SCLP4.8 sets a local floor space threshold of 750 square metres for the Woodbridge area. Each two-storey unit at Riduna Park (with the exception of East Suffolk House) is 2500 square feet (approx. 230 square

metres). Therefore, the total floorspace that could potentially change to retail uses could be significantly higher than the 750 square metre threshold.

- 8.8. Without knowing the end user or the floor space of a proposal it is difficult to fully understand its impact upon local town centres. National Planning Practice Guidance (NPPG) paragraph 2b-018-20190722 provides a check list of what should be included within an impact assessment. The RIA provides an assessment of the health of Woodbridge town centre. It states that vacancy rates within Woodbridge town centre are low when compared to vacancy rates within Ipswich, Sudbury, Felixstowe and Stowmarket. However, the vacancy rates are not stated precisely as either a percentage or an absolute number and so an accurate comparison is not possible. Information from page 30 of the East Suffolk Authority Monitoring Report provides vacancy rates for Woodbridge and the other town centres within the former Suffolk Coastal area. It shows that in 2020 Woodbridge had a vacancy rate of 11%. Of the other town centres in the former Suffolk Coastal area Leiston had a vacancy rate of 11.4%, Saxmundham 10.3%, Framlingham 9.6%, Aldeburgh 8% and Felixstowe 6.3%. Therefore, the vacancy rate within Woodbridge was comparatively high during 2020 when compared to other town centres within the immediate area. It also contradicts the claim that the vacancy rate was lower in Woodbridge than in Felixstowe.
- 8.9. The RIA states that there have been 14 retail lettings within Woodbridge town centre during the last five years and that four lettings have taken place since the first lockdown. This is cited as evidence that the town centre is performing comparatively strongly. However, it is difficult to be sure of this without a comparison with other market towns of a similar size or understanding how the figures for Woodbridge compare with lettings over a longer historical period.
- 8.10. The requirements for impact tests contained in NPPG paragraph 2b-018-20190722 states that impact tests should, in addition to providing an assessment of the health of the town centre, also undertake the following:
- Provide a time frame for assessing the impact of the proposal.
 - Provide a 'no development scenario' for the future of the town centre, which assumes development does not take place.
 - Provide an assessment of the turnover of the proposal and the trade draw from existing town centres.
 - Provide a range of plausible scenarios for the future of the town centre based on the impact of the proposed development.
 - Provide an assessment of the potential impact on the town centre.
 - Provide conclusions about the potential impact of the proposed development based on the information listed above.
- 8.11. Given the nature of the application in that it is proposing an 'E' Class use which now permits a variety of uses, of which retail is only one, it would be difficult to answer any of the above points accurately without knowing the precise retail floorspace. While Officers consider that it would be unlikely that all of the units would be occupied by retail units in reality, if an E Class Use were permitted across the site, it would enable this scenario, if not immediately, at some point in the future. It is considered that this could have a significant impact on Woodbridge Town Centre and potentially some existing local services in Melton.

- 8.12. If the application related to all units, it is considered to be appropriate that a further RIA should assume that all of the floor space in the proposal would be used for retail uses. This would enable the RIA to be able to show whether the proposal will have a significant adverse impact upon Woodbridge town centre.
- 8.13. It is recognised that some of the individual units have already been permitted to deviate from the original A2 or B1 uses. Also, since the original permission was granted, the Government, through the 2020 changes to the Use Classes Order (including the creation of Class E), has recognised that town centres need greater flexibility in order to meet the objective of rejuvenating High Streets and ensuring the viability and vitality of town centres is retained. While this enables town centres to be more flexible with the uses permitted, it also relates to existing office premises and other former 'B Class' uses which also in many cases benefit from more flexible uses without needing planning permission. In order to balance the national and local policies relating to town centres but also acknowledge that the Use Class Order has been subject to significant changes and increased flexibility, the applicant has agreed to a proposal suggested by Officers to seek approval for the variation of condition to permit a maximum of 6 two-storey units to be used for purposes within Class E (excluding East Suffolk House and Units 7-9 which are currently occupied by East Suffolk Council). It is considered that this would enable some flexibility in permitting a wider variety of businesses operating from the site but also help protect Woodbridge Town Centre and, to a lesser degree, services and facilities within Melton.

Residential Amenity

- 8.14. Some concern has been raised regarding the potential disturbance to neighbouring residents as a result of additional possible uses and the impact this may have on noise and disturbance to residents in neighbouring St. Andrew's Place. The Council's Environmental Protection Team have not raised any concerns in relation to this proposal and other conditions detailed below restrict opening hours, delivery hours, no outside storage/operations and fixed plant. It is therefore not considered that the proposal would result in any significant impact on neighbours' residential amenity.

9. Conclusion

- 9.1. The proposal to enable a fixed number of units across the development site being occupied by businesses falling outside of classes E(c) and E(g) (the former A2 and B1 Use Classes) is considered to reflect the changing economic climate, the recently amended Use Classes Order but also ensure that the proposal is in compliance with the Neighbourhood Plan allocation policy (MEL20) and would not adversely impact on Woodbridge Town Centre.

10. Recommendation

- 10.1. APPROVE the variation of condition 13 to read as follows:
"The premises herein referred to, shall be used for purposes within Use Class E(c) and E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order) with the exception of Unit 1 which shall be used for a purpose within Class E (b) and a maximum of six units (out of Units 2-6 and 10-27) at any one time which may be used for any

purpose set out within Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order)

Reason: In order that the local planning authority may retain control over this site in the interests of amenity, the protection of the local environment and to ensure there would be no adverse impact on the vitality and viability of Woodbridge Town Centre subject to controlling conditions as previously imposed on the original application (and as amended since in subsequent applications)."

Conditions:

2. The scheme for the provision and implementation of surface water drainage shall be constructed and completed in accordance with drawing no. 612668/108 Rev P4 before occupation of any part of the development herein approved.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

3. Details in respect of the adoption and maintenance of any surface water drainage features shall accord with details approved on 7th June 2013 unless otherwise approved in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site for the lifetime of the development.

4. The finished floor levels of the buildings herein approved shall be set between 2.84m AOD and 4.74m AOD as shown on drawing 1724/50H.

Reason: To ensure appropriate protection from flooding to the development and its occupants.

5. Flood proofing measures as detailed in paragraph 4.8 of Flood Risk Assessment SJC/612668/LSP shall be incorporated into the proposed development.

Reason: To minimise the damage to buildings in the event of flooding and enable a faster recovery once flood waters have subsided.

6. Details in respect of the Flood Evacuation Plan shall accord with details approved on 7th June 2013 unless otherwise approved in writing by the local planning authority.

Reason: To ensure appropriate measures are in place to give adequate warning to occupants of any impending flood event and how to leave the site safely.

7. Surface water from impermeable vehicle parking areas and service areas, shall be passed through a storm by-pass oil interceptor. It must be designed to receive flows of up to 50mm/hour from the connected area, with all flows up to 5mm/hour rainfall, passing through the interceptor and receiving a minimum 6 minutes retention in each interception chamber.

Reason: To prevent pollution of the water environment.

8. Details in respect of the means to prevent surface water discharge shall accord with details approved on 7th June 2013 and thereafter retained, unless otherwise approved in writing by the local planning authority.

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

9. Details in respect of the Travel Plan shall accord with details approved on 7th June 2013 and thereafter adhered to, unless otherwise approved in writing by the local planning authority.

Reason: In the interests of sustainable development.

10. The use shall not commence until the area(s) within the site shown on Drawing Number 1724-50H for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.

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.

11. At least 5% of all car parking spaces shall be a minimum of 3.3m wide and shall be retained and made available to persons with disabilities.

Reason: To provide suitable parking spaces for those with disabilities to gain access to the buildings/employment.

12. Details in respect of the Full Site Investigation and Remediation Strategy shall accord with details approved on 7th June 2013, unless otherwise approved in writing by the local planning authority.

Reason: To ensure adequate mitigation of the risks to human health identified in the MLM Environmental Phase 1 Desk Study Report (ref DMB/722106/R1 March 2009).

13. The premises herein referred to, shall be used for purposes within Use Class E(c) and E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order) with the exception of Unit 1 which shall be used for a purpose within Class E (b) and a maximum of six units (out of Units 2-6 and 10-27) at any one time which may be used for any purpose set out within Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order)

Reasons: In order that the local planning authority may retain control over this site in the interests of amenity, the protection of the local environment and to ensure there would be no adverse impact on the vitality and viability of Woodbridge Town Centre.

14. There shall be no activities, external storage or processes conducted outside any buildings.

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

15. Hours of working on the site shall be -
For East Suffolk House and Units 7-9: unrestricted hours.

For Unit 1 only:

Monday to Thursday 07.00-18.00 hours

Friday and Saturday 07.00-00.00 hours

Sundays 08.00-16.00 hours

Bank Holidays shall accord with the above opening hours.

For Units 2-3, 5-6, 10-16 and 18-27:

Monday to Friday - 07:00 until 19:00 hours

Saturdays - 08:00 until 16:00 hours

Sundays & Bank Holidays - none

For Unit 4 only:

Monday to Friday - 07:00 until 02:00 hours

Saturdays - 08:00 until 16:00 hours

Sundays and Bank Holidays - none

Unless otherwise agreed in writing with the Local Planning Authority.

For unit 17 only:

Monday to Friday - 07:00 until 22:00 hours

Saturdays - 08:00 until 16:00 hours

Sundays and Bank Holidays - none

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

16. Hours of deliveries to, and collections from the site shall be -
Monday to Friday - 07:00 until 19:00 hours
Saturdays 08:00 - until 14:00 hours
Sundays & Bank Holidays - none

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

17. All extract ventilation installed in association with the Class A3 unit shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, the following details shall be submitted to the Local Planning Authority for approval:
- i) The proposed filtration plant;
 - ii) Its ducted route through the building, and
 - iii) Its final discharge point 1 metre above roof level;
 - iv) Sound power levels of all fans, air-conditioning or other cooling equipment;
- Only the approved scheme shall be implemented and shall be retained in the approved form thereafter.

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

18. Only the fixed plant approved by application DC/15/5085/DRC shall be installed and retained in its approved form thereafter. Prior to the installation of any further air conditioning, extract ventilation system, refrigeration equipment, and 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 form thereafter.

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

19. No refrigerated containers shall be stored on the site

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

20. Full details of any floodlighting shall be submitted to the Local Planning Authority for approval and shall be provided and retained in that approved form thereafter.

Reason: To prevent and/or minimise light overspill and sky glow.

21. Proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation.

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

23. None of the existing trees or hedgerow on the northern and western site boundary(ies) shall be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the Local Planning Authority. Any trees or hedgerow removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season with trees and/or shrubs of a size and species which have previously been agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows.

24. The details approved in relation to protective fencing of trees and hedgerows shall be adhered to unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

25. Details in respect of the Tree Protection Fencing, shall accord with details approved on 7th June 2013, unless otherwise approved in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

26. Details in respect of landscape works shall be as approved by applications DC/16/1067/DRC.

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

27. Details in respect of hard landscape works shall be as approved by applications DC/16/4493/DRC and DC/17/2951/DRC.

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

28. The approved scheme of landscaping in respect of each phase of the development shall be implemented not later than the first planting season following implementation of the phase to which it relates (or within a specific time scale agreed in writing with the local planning authority). Any plant material covered by the approved scheme shall be retained and maintained and any removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season.

Reason: To ensure implementation of the landscaping scheme at an appropriate time in the interest of visual amenity.

29. The proposed acoustic fencing to the northern boundary as shown on drawing 1724/50H shall be carried out in accordance with details received on 6 September 2019

Reason: To provide acoustic screening to residential units to the north of the site from traffic using the turning head.

30. The materials shall accord with details approved on 16th August 2017, unless otherwise approved in writing by the local planning authority.

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

32. Arrangements for the storage and collection of refuse shall fully accord with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority, before the use is commenced.

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

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended the General Permitted Development Amendment (No2) Order 2008) or any Order revoking or re-enacting the said Order] no development of any kind specified in Part 8, Classes A, C and D of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the Local Planning Authority. (Part 8, Classes A, C and D refers to extension, hardsurfaces or the deposit of waste).

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.

Informatives:

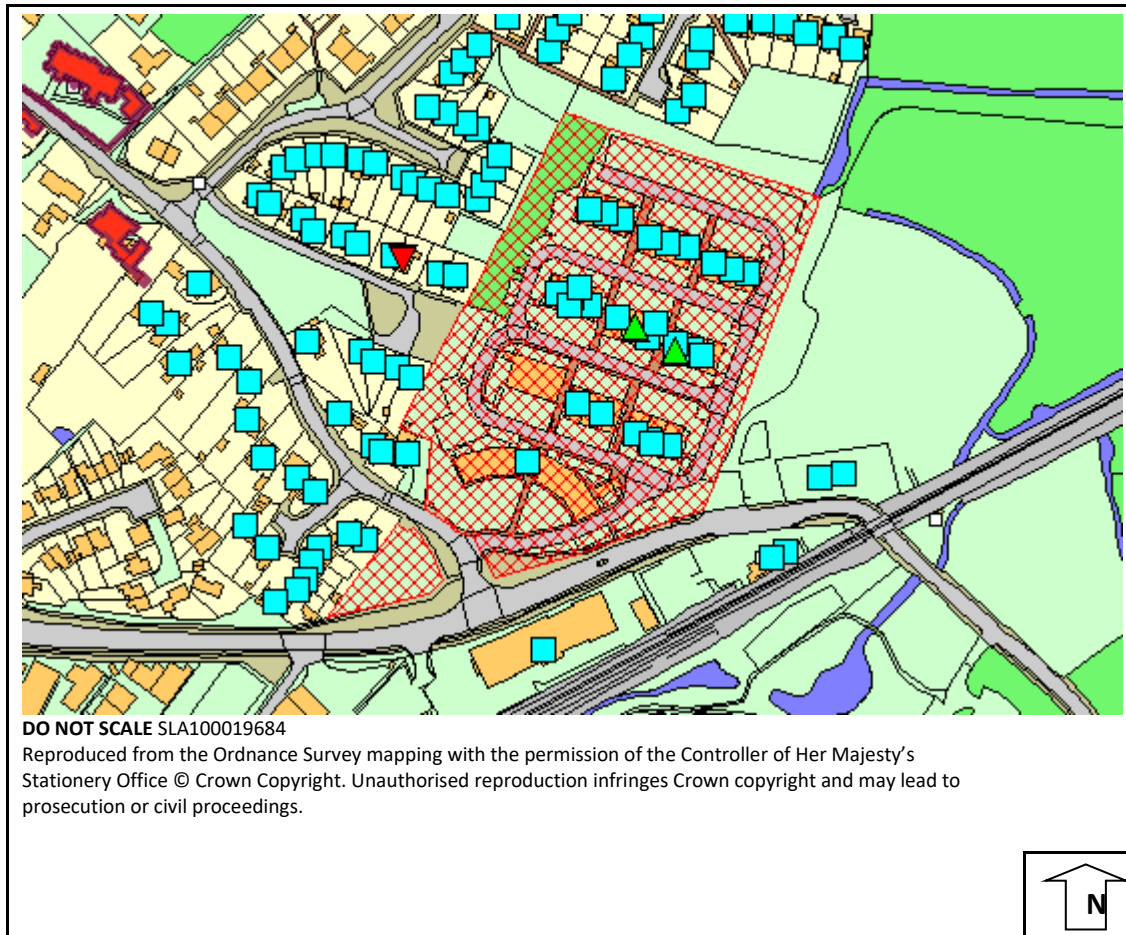
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning

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.





Background information

See application reference DC/20/5252/VOC on [Public Access](#)

Map



Key

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