



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

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Jocelyn Bond
Councillor Norman Brooks
Councillor Linda Coulam
Councillor Graham Elliott
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North**
to be held on **Monday, 22 February 2021 at 12.30pm**

This meeting will be conducted remotely, pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel
at [https://youtu.be/ h97ZtsUnv0](https://youtu.be/h97ZtsUnv0)

An Agenda is set out below.

Part One – Open to the Public

Pages

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.	
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 12 January 2021.	1 - 23
5	Enforcement Action - Case Update ES/0666 Report of the Head of Planning and Coastal Management	24 - 42
6	DC/20/2593/FUL - High Dene, 105 Park Road, Lowestoft ES/0667 Report of the Head of Planning and Coastal Management	43 - 55
7	DC/20/1001/OUT - Land to the north of School Road, Ringsfield Corner ES/0668 Report of the Head of Planning and Coastal Management	56 - 89
8	DC/20/1395/FUL - 44 Gorleston Road, Lowestoft ES/0669 Report of the Head of Planning and Coastal Management	90 - 106
9	DC/20/4686/FUL - Land rear of 185 Saxmundham Road, Aldeburgh ES/0670 Report of the Head of Planning and Coastal Management	107 - 116
10	DC/20/3279/FUL - 64 London Road North, Lowestoft ES/0671 Report of the Head of Planning and Coastal Management	117 - 126

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/planning/planning-applications/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>).

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: democraticservices@eastsuffolk.gov.uk



The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development
www.local.gov.uk/Community-Leadership

Minutes of a Meeting of the **Planning Committee North** held via Remote Meeting via Zoom , on
Tuesday, 12 January 2021 at 2:00 pm

Members of the Committee present:

Councillor Paul Ashdown, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

Other Members present:

Councillor David Beavan, Councillor Peter Byatt, Councillor Tony Cooper, Councillor Debbie McCallum, Councillor Keith Patience, Councillor David Ritchie

Officers present: Liz Beighton (Planning Manager - Development Management), Joe Blackmore (Principal Planner - Development Management), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner - Development Management), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management)

1 Apologies for Absence and Substitutions

An apology for absence was received from Councillor Bond.

Councillor Cooper attending the meeting as a substitute for Councillor Bond.

2 Declarations of Interest

Councillor Rivett declared a Local Non-Pecuniary Interest in Item 7 and 8 - DC/20/0653/FUL and DC/20/1783/LBC - Post Office, Lowestoft, as being Cabinet Member for Economic Development and Assets and Chairman of the London Road Lowestoft High Street Heritage Action Zone.

Councillor Coulam declared a Local Non-Pecuniary Interest in Item 9 - DS20/4744/FYL - 141 St Peter's Street, Lowestoft, as a close member of her family has commented on the application. She advised that she would leave the meeting when the item was discussed and take no part in the consideration of the application or voting thereon.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Ashdown declared that he had been lobbied on Item 6 - DC/20/3142/FUL - High Lodge Leisure, Hinton, Item 7 - DC/20/0653/FUL - Post Office, Lowestoft, and Item 9 - DC/20/4744/FUL - 141 St Peter's Street Lowestoft. He had made no response.

Councillor Brooks declared that he had been lobbied on Item 6 - DC/20/3142/FUL - High Lodge Leisure, Hinton, Item 7 - DC/20/0653/FUL - Post Office, Lowestoft, and Item 9 - DC/20/4744/FUL - 141 St Peter's Street Lowestoft. He had made no response.

Councillor Elliott declared that he had been lobbied on Item 11 - DC/20/4001/FUL - 9 Trinity Street, Southwold. He had discussed the factual process of the application.

Councillor Pitchers declared that he had been lobbied on Item 11 - DC/20/4001/FUL - 9 Trinity Street, Southwold. He had made no response.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 8 December 2020 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee considered report ES/0622 which summarised outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 18 December 2020. There were currently 13 such cases.

The Assistant Enforcement Officer provided an update with regard to Oak Spring, Darsham, where the notice had not been complied with and that case was to be discussed with the Legal Team. In addition, 28 Beverley Close, Lowestoft, had not complied; that had been held up due to Covid problems and internal discussions would be taking place on the next step to be taken. Work was due to start the following day with regard to 46 Wissett Way, Lowestoft.

Members noted the update and there being no further discussion, it was unanimously

RESOLVED

That the report concerning Outstanding Enforcement matters up to 18 December 2020 be received and noted.

6 DC/20/3142/FUL - High Lodge Leisure, Darsham Road, Hinton, Blythburgh

The Committee considered report ES/0623 which set out the details of a planning application for the re-development of the golf course and vacant paddock land for the siting of 170 holiday lodges, three tree houses, new facilities building, maintenance and housekeeping building, car parking and associated highway works.

The application was for a significant extension to an existing holiday and leisure facility at High Lodge, Hinton. The proposed facilities building would contain a restaurant, bar

and café, as well as leisure facilities including an indoor swimming pool. The existing clubhouse, holiday lodges, shooting range and fishing facilities would remain as a separate operation under the current High Lodge ownership.

Members were shown site location plans showing the actual site, nearby dwellings, ancient woodland on the northern boundary, the current golf course and open fields and a nearby camping site. From the block plan, it could be seen that the access would be moved to the northern boundary and include a wildflower meadow. Although some trees would be removed, most would be retained. Photographs showed the site and access from the A12. Area A would remain as open space, area B 40 lodges, and in area C there would be two areas of 30 and 100 lodges and the maintenance buildings. On-site facilities would also include a tennis court, table tennis and a splash zone. The proposed road improvements included widening of the verge and a turn right lane. Block plans, external elevations and materials gave an indication of the buildings, lodges and tree houses, some of which were similar to the Applicant's other sites in the country.

The Senior Planner explained the key issues in that there had been local concerns over the scale of the development including the adequacy of the infrastructure, electricity and drainage, disturbance to residents, light and noise impact on wildlife. The Highway Authority had originally made a holding objection with regard to visibility; there had been a further holding objection from Suffolk Floods and Suffolk Wildlife Trust had raised concerns and the effect of the proposal on the wildlife site. However, the update sheet had given additional information regarding the lighting strategy, drainage and re-positioning signage and minor highway works, and a shuttle bus was being offered from the railway station.

The Senior Planner updated Members in that the Highway Authority had withdrawn the holding objection as grounds for refusal could not be substantiated. Further discussions with the Floods Authority were still ongoing. The proposal was considered to be a good location for the facilities which were visually contained in the site and which already offered leisure uses. The proposal would provide employment, be good for the economy and would not be seen from the AONB. The design and layout were of a high standard and impact on the residential amenity was limited due to the planting on the boundaries. Highway impact had been resolved and Environmental Health had raised no objection with regard to any noise issues. The update sheet contained amended conditions and certain issues including the fact that a RAMS payment would need to be resolved before determination.

Further agreement was needed with regard to condition 4 which was being proposed to ensure the units were used as holiday accommodation and not as permanent dwellings. The Applicant had advised that this would impede the development as, due to the capital costs, they wished to sell units. The Council did not wish to deviate from its policy of short break lettings which would result in wider economic benefits. The wording of this condition and financial viability would need to be discussed further with the Applicant.

The Senior Planner advised that authority to determine approval was being sought subject to the satisfactory resolution of issues raised. A Member proposed that a further condition be imposed to ensure the facilities building be provided prior to the

opening of the holiday park.

The Chairman invited questions.

Members raised the following issues:

- Highways concerns.
- Lack of local facilities.
- Holiday accommodation clause to come back to Committee.
- Paragraph 7.13 mentioning Sizewell C traffic when an application had not been considered.
- Accommodation lodges being suitable for disabled users.

The Senior Planner advised that the Highway Authority was satisfied with the road access and junction following addition reports. The nearest shop was around 2.5km distant and a shuttle bus would be available for shopping or for using the railway station. Facilities were being provided on the well contained site and, being in a good location, there was easy access to other tourist facilities in the area.

The Head of Planning and Coastal Management advised that Sizewell C was a known development that might or might not be built. An application had yet to be determined. However, it was necessary to have regard to that possible development and resulting significant pressure on housing lets and tourism. The application before the Committee was providing a further 170 units of tourist accommodation near the A12 and which could take away any pressure on the rental market near Sizewell.

The Chairman invited the Applicant's agent to address the Committee.

Ms E Cass advised that they were making a £16-17m investment by acquiring the land and building a sporting and hospitality venue to contribute to the economy and recovery post Covid. The spacious layout would allow social distancing, provide sustainable tourism facilities, enhance biodiversity with the wild meadows and strengthen the economy. Darwin Leisure had a good track record for environmental enhancements and were providing a nature walk through the site. They were committed to providing a robust development and make the investment to provide and support tourist accommodation. A shuttle bus was to be available to and from the railway station which would offer sustainable travel. The proposal would support the local economy and provide 40 jobs all year round.

In response to Members' questions, Ms Cass confirmed that there was capacity in local services and the use of electricity would make the local supply more secure in the future. It was intended to provide charging points for electric vehicles.

During debate, it was recognised that the proposal would provide permanent jobs in the local area which was an important factor to consider post-Covid. It would bring significant money into the area and boost the tourist economy. The Darwin sites seem to be well designed, managed and well priced and a facilities building was being provided. The proposal was making significant investment in the area. Whilst it was appreciated the Applicant had no control over road issues, the sustainability of the location was questioned with no public transport and there was no guarantee that the shuttle bus would be a permanent operation. It was disappointing to see there would

be no extension to the footpath on the busy A12. Comment was made the scale of the development in the countryside near to a small village was questionable. However, it could be considered to be a 'get away from it all' site offering peace and quiet.

The Head of Planning and Coastal Management advised that the facilities building needed to be in place at the appropriate time, not necessarily at the start of the development.

There being no further discussion, it was

RESOLVED

That authority to determine approval be granted, on the satisfactory resolution of drainage issues, payment of RAMS, clarification of wording restricting the occupancy to holiday accommodation only, and subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawings 1368/13 A0; 1368/9 A0; 1368/11 A1; 1815/HL-014; 1815/HL010; 1815/HL-015; 1815/HL-019; 1815/HL-016; 1815/HL-011; 1815/HL-018; Transport Assessment; Interim Travel Plan; Flood Risk Assessment and Surface Water Management; Foul Water Drainage Strategy; Arboricultural Survey; Phase 1 GeoEnvironmental Site Assessment; Noise Assessment; Landscape and Visual Impact Assessment; Landscaping Masterplan; Preliminary Ecological Appraisal; Ecology Survey Report; Habitats Regulations Assessment (Informative Report); Biodiversity Net Gain Assessment; Supporting Economic Statement, for which permission is hereby granted or in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The lodges and tree houses hereby consent shall only be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all

those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

5. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, 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 hedges 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 or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

6. Those trees and hedges to be retained shall be protected during the course of development in accordance with the tree protection plan and method statement within the Tree Survey and Arboricultural Impact Assessment.

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

7. Within three month(s) of commencement of development, satisfactory precise details of a tree and/or hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority. This shall include details of proposed bunds.

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

8. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following completion of the scheme (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five 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.

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (RPS, July 2020); the Ecology Survey Report (RPS, August 2020) and the Information to inform a Habitats Regulations Assessment Report (RPS, August 2020) as submitted with the planning application and agreed in principle

with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

11. 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 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.

12. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which

the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

13. Any works in areas relating to protected species or their habitats shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

14. No development shall commence until a detailed Construction Management Plan has been submitted to, and approved by, the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties, and shall set out hours of construction/activity on site and delivery hours and routes for materials and equipment to the site before and during construction. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements during the construction phase of the development.

15. The agreed noise levels, and/or noise mitigation work, should be validated prior to first occupation. A validation report should therefore 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 surveying and/or monitoring carried out to demonstrate that the measures in the approved noise report have been implemented and any agreed noise levels achieved.

Reason: In the interests of residential amenity.

16. 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.

17. Conditions relating to surface water drainage as recommended by the Floods Authority following the consideration of further information to be submitted.

18. Conditions recommended by the Highway Authority following consideration of further information to be submitted.

19. The use shall not commence until the areas within the site shown on the approved plans for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the areas 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 where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

20. Within 12 months of development commencing details of the proposed access and off-site highway junction improvements (A12 junction) indicatively shown on Drawing No. D221/02 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to any occupation.

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

21. Before the development is commenced 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.

22. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. 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.

23. The lux level of the lighting at ground level at the highway boundary shall not exceed 1 lux.

Reason: In the interests of road safety to prevent uneven light levels on the highway and to prevent light pollution.

24. Before the development is commenced details of the areas to be provided for the[LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

25. The development hereby permitted shall not be brought into use until the visibility splays shown on Drawing No. D221/02 have been provided and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure 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.

26. Prior to the occupation of the development, details and route of the shuttle bus for visitors and staff as identified in the Interim Travel Plan (dated December 2020) will

need to be submitted to the Local Planning Authority in consultation with the Highway Authority. The cost of implementing the shuttle bus will need to be covered in full by the applicant, unless agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development as set out in the NPPF and Policy SCLP7.1.

27. The main facilities building hereby approved shall be completed and available for use prior to the site opening as confirmed in email sent 11/01/21.

Reason: To ensure appropriate facilities are available for guests and for the avoidance of doubt as to what has been considered and approved.

7 DC/20/0653/FUL - Post Office, 51 London Road North, Lowestoft

The Chairman advised that there would be one presentation for Agenda Items 7 and 8 but the Committee would then need to take separate votes on the Full Application and the application for Listed Building Consent.

The Committee considered report ES/0624 which set out details of the application seeking planning permission for the demolition of existing shed buildings to the rear of the Post Office in Lowestoft, including adjoining structures to the rear of the Post Office; repair and adaptation to the ground floor of the Post Office building including a new extension to the west and re-fenestration at ground floor level; and erection of flats and houses comprising nine dwellings with associated landscaping works.

The application was before Committee as the Council was the Applicant, on Council-owned land.

Members received a presentation showing the site location plan, aerial and street views from London Road North and Surrey Street, the Listed Building, its area, frontage, internal space and section drawings.

The Principal Planner advised that the building had been vacant for a number of years and its poor state of repair detracted from the Conservation Area. The proposal was to repurpose the ground floor to provide space for a commercial use and improve the façade. That too would improve the vitality of the town. Historic England had chosen to undertake a review of the whole site and its view was that only the principal building should be listed; the rear development should not be listed or treated as curtilage listed.

Note: *As advised by the meeting host, Councillor Gee lost connection at 3.11pm for a few seconds and the Principal Planner gave a brief recap.*

The Principal Planner further explained that the façade would be subject to significant work including cleaning of the stonework. The improvements to the ground floor including replacement windows were an important part of the process as many independent retailers would not have the money to improve the interior. The rear non-listed portion would be demolished.

The presentation to Members continued to show the proposed demolition of the buildings and their interiors at the rear of the Post Office main building, two of which were non-designated heritage assets with other buildings modern and detracting from the Conservation Area. Any historic features with the non-designated heritage assets had been lost over time. It was therefore acceptable to use the site to facilitate affordable housing and re-purpose the listed building. The proposed block plan showed the five three-bedroomed town houses, and building comprising two-bedroomed three person flats. All accommodation was raised as a protection from flood risk and the void areas under the flats would provide storage for wheelie bins and cycle storage. The floor plans showed the internal layout and the elevations gave an indication of style, roofing with solar PV and external brickwork.

The Principal Planner drew attention to the fact that the re-purposing of the Post Office building would be a significant public benefit and the scheme would create nine affordable homes in an area of high need. The proposal would generate a number of significant benefits and approval was being recommended for both the full application and the Listed Building Consent.

Members questioned the following on the planning application:

- If the bin storage was a contained area.
- Whether the striking building could be incorporated into the scheme.
- Bricks to match adjacent buildings.

The Principal Planner advised that the bin storage area was contained within the footprint of the lower ground floor level and wheelie bins would need to be presented to an external area on collection day. The proposed demolition was to allow this better proposal to provide homes. It was important to ensure appropriate choice of brickwork and that would be dealt with by way of conditions.

The Chairman invited public speakers to address the Committee.

On behalf of the Lowestoft Town Council, Mr A Pearce advised that the Town Council was recommending refusal as it could not support the design of the new extension which needed to be at a high level given the significance of the building. There seemed to be factual errors and the comments of Historic England and local historians should be further considered. To approve the application as submitted was contrary to the Council's own policies WLP8.37 and WLP8.39 relating to Historic Environment and Conservation Areas. There was no support from a heritage impact assessment and that should be undertaken in the Heritage Action Zone and the HAZ memorandum of understanding required involvement of partners in the decision making process and that had not been applied to the Post Office site.

In response to a question relating to the original support offered by the Town Council, Mr Pearce advised that initial support had changed due to other objections being raised, the age of the building to be demolished and its retention. New information had come to light since the Town Council had looked at the original application.

On behalf of the Council as Applicant, Bridget Law, Programme Manager Housing Development, thanked the officers for recommending approval. There had been a significant decline in Lowestoft town centre with vacancy rates at 20.6% well above the

national average, with Covid issues not yet having had the full effect. This proposal by the Council would help stop the decline and its master plan supported the Town Fund bid. The Post Office building had been acquired not only to ensure a sustainable use for the Listed Building but also the benefits brought by providing commercial space and affordable housing. The proposal aligned with the Council's Housing Strategy and housing need was high with over 300 applicants on the waiting list with links to north Lowestoft. She asked Members to consider approving the application for the four two-bedroomed flats and five townhouses and also the long lasting benefits.

Members complimented the officers on the report and presentation. The provision of nine affordable properties and open space in a Listed Building was a must in the High Street. With the loss of retail, it was important to regenerate the area. It was disappointing that County Highways had objected to such a well-considered scheme in a sustainable location. The building was in poor condition due to a lack of maintenance and the proposal would not only preserve the historic aspects but give the building a future. There being no further discussion, it was unanimously

RESOLVED

That authority to approve be granted, subject to securing the per-dwelling contribution to fund the Suffolk (Coast) RAMS, and with planning conditions including but not limited to those summarised below:

- 1) Three-year time limit.
- 2) Standard plans compliance condition.
- 3) Mechanism to deliver Affordable Housing provision (S106 agreement) to be secured pre-commencement of development.
- 4) New building external facing materials to be agreed pre-commencement .
- 5) Hard landscaping strategy to be agreed pre-commencement.
- 6) Precise details of frontage window and door works to be agreed pre-commencement.
- 7) Precise detailing and finishes of the extension to be agreed pre-commencement.
- 8) Standard model conditions for ground contamination investigation and remediation.
- 9) Highways condition – parking/manoeuvring areas to be provided pre-occupation.
- 10) Highways condition – bin storage area to be provided and maintained.
- 11) Ecology – conditions to secure enhancement and mitigation measure from the approved Preliminary Ecological Appraisal.

The Committee considered report ES/0625 which sought Listed Building Consent for the repair and adaptation to the ground floor of the Post Office building in Lowestoft including a new extension to the west, new roof to ground floor extension and re-fenestration at ground floor level. The proposal would enable an important ground floor space of a Grade II Listed Building to be brought back into a viable use within the High Street and South Lowestoft Conservation Area.

The Chairman invited the public speakers to address the Committee.

Mr Pearce re-iterated that when original application came to the Town Council the whole area was part of listing and the original raft of objections, including that from the Council's own Senior Design and Conservation Officer, related to heritage. The basis of the listing had changed. Mr Pearce also pointed out that, in relation to a Town Council property in the Haz area, the memorandum of understanding involving key partners had to be adhered to. That had not happened in this case.

On behalf of the Applicant, the Programme Manager advised she had nothing further to add.

Having considered and approved the application under Item 7 on the Agenda, it was unanimously

RESOLVED

That Listed Building Consent be granted, subject to conditions including, but not limited to, those summarised below:

- 1) Three-year time limit.
- 2) Standard plans compliance.
- 3) Large scale details of material, detailing and finish of windows and doors including large scale sections of the various elements.
- 4) Method statement of stonework cleaning to façade.
- 5) Details of works of making good to the side wing (adjacent the toilet block to be demolished in the tandem planning application).
- 6) Details of materials and finishes to the new extension.
- 7) Details of how any existing doors and windows of historic interest impacted by the extension are to be dealt with (retained or sealed up works).
- 8) Details of works to the decorative ceiling/cornice in the public hall.

Note: The meeting was adjourned from 3.45pm and reconvened at 3.54pm

Having declared a Local Non-Pecuniary Interest in Agenda Item 9, Councillor Coulam left the meeting at 3.45pm.

9 DC/20/4744/FUL - 141 St Peter's Street, Lowestoft

The Committee considered report ES/0626 which gave details of the application seeking full planning permission for the change of use of 141 St Peter's Street, Lowestoft, from a C3 dwelling house to a House in Multiple Occupation (Sui Generis use). The application was before Committee as the Council was both the landowner and the Applicant.

Members received a presentation showing the site location plan, which showed the character of the areas was residential, street views in both directions of the property, rear service access and on-street parking in the vicinity. Whilst not in a flat saturation area, some dwellings in the neighbourhood were in multi-occupancy. The proposed block plan gave an indication of the existing buildings to become storage, the area for bin storage and the existing garage would be re-purposed as secure cycle storage with lighting accessed by a locked personal gate. The floor plans showed the proposal for en-suite rooms around a central hall area and the ground floor included communal space, shared kitchen and office for the on-site staff.

The Principal Planner explained the exceptional circumstances with Covid to allow this proposal and the need for rough sleepers to be brought into accommodation. Homes England and the Ministry of Housing, Communities and Local Government were providing funding for the proposed seven bedroomed accommodation. In addressing the material planning considerations and key issues, it should be noted that all facilities were within walking distance and the residents were unlikely to have a vehicle, therefore there would not likely be a high demand for parking. Amenity issues had been dealt with in the update report and the Town Council were in support of the proposal. There was a need for this type of specialist accommodation which would provide benefits to the individuals in such supported accommodation.

The Principal Planner advised that the proposed planning permission would not run with the land but be for the benefit of the Applicant, the Council, thus ensuring the proposal would be properly managed. He confirmed that, as referred to in the update sheet, no new material planning issues had been raised in objections received and approval was being recommended.

A Member questioned the lack of need for car parking for homeless people, it was pointed out that some rough sleepers actually slept in their cars. The Principal Planner advised that such issues would be picked up by the applicant team and would be managed accordingly for those residents.

The Chairman invited the Applicant to address the Committee.

On behalf of the Council, Fern Lincoln, Housing Needs Service Manager, explained that in July 2002 the Ministry of Housing had invited Councils to be involved with the Next Steps accommodation and was providing capital funding for such accommodation. The

Council had worked up a bid and delivery plan and that bid had been successful with Orwell Housing Association providing care and support. The proposal was being directed at rough sleepers and would provide accommodation, support and sustainable living skills until they could get on their own feet. The accommodation would be accessible for two years to try and ensure the residents did not return to living on the streets. Orwell had previously provided successful accommodation for people in supported housing schemes and the proposal in the application would provide housing solutions. With Covid, there were many challenges to be faced and the Council should be able to deliver accommodation to break the cycle of homelessness.

During the ensuing discussion, Members agreed the Council's proposal would be supportive in providing places for rough sleepers to stay. The property was in the vicinity of local services and bus stops, and there was some unrestricted parking in the area if needed. The detailed presentation and full information in the report was welcomed and it was

RESOLVED

That planning permission be granted, subject to the following conditions:

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

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

2. This permission shall endure solely for the benefit of the applicant 'East Suffolk Council' and not for the benefit of the land.

Reason: Having regard to the special circumstances put forward by the applicant and the bespoke accommodation to be provided and managed.

3. The development shall be carried out strictly in accordance with Drawing No. 2684.20.2E, received 18 December 2020.

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

4. Prior to the approved use commencing, the areas within the site for the storage of waste/recycling bins and bicycles (as shown on Drawing No. 2684.20.2E) shall be provided in full and made available for use. Thereafter those areas shall be retained for only those purposes unless otherwise approved in writing by the Local Planning Authority.

Reason: to secure key elements of the layout at an early stage of the development, in the interest of residential amenity and good design.

Note: Councillor Coulam rejoined the meeting at 4.13pm.

The Committee considered report ES/0627 relating to the planning application for the change of use from disused orchard/garden to glamping site with five pitches at Toad Hall in Wangford. The proposed glamping pods would essentially provide tourist sleeping accommodation and a toilet and shower block, and a wellness studio would also be provided in the scheme.

The Senior Planner advised that the site was in the countryside close to Wangford village and was within the Area of Outstanding Natural Beauty as shown on the location plans. The application was before Committee at the request of the Referral Panel because of concerns over parking but that had now been resolved by the revised plan now before Members providing seven parking spaces.

Members received a presentation showing the proposed site layout for the five pods, car parking, cycle storage and the existing building which was to be used for the shower block and wellness centre. A share kitchen would be located in the main building and cycle storage, outdoor facilities for cooking and a parking space were also being provided for each pod. Photographs gave an indication of the site to the north and west and from Mardle Road. Further slides showed the style of the proposed pods and toilet/shower block, with cladding and roofing that would be in keeping with the area. The access and visibility splays were considered to be acceptable and whilst the pods were behind the roadside hedge, there would be additional planting.

The Senior Planner drew attention to the material planning considerations and key issues and explained that the proposal; was modest in scale and nature. It was considered to be a sustainable development providing a benefit to the District and not harmful to neighbour amenity. As a result, approval was being recommended.

The Chairman invited questions.

Members requested clarification on the following points:

- Facilities to cook a meal/heat food.
- Parking and adequate space for cars to manoeuvre.
- Bicycle spaces.

The Senior Planner advised there was some scope for cooking in the facilities building and each pod would be provided with a BBQ. Five parking spaces were being provided for the proposed pods and two spaces for Toad Hall. The distances for manoeuvring cars were being met. Each pod was to be provided with two bicycles.

The Chairman invited the Applicant to address the Committee.

Mr G Crossland advised that Toad Hall was their forever home in a tranquil setting where they and others could enjoy the peace and quiet. To provide a retreat of five self-catering lodges would fit in perfectly in a great location and would enhance their home. It was proposed to market the site as a retreat for outdoor enthusiasts among bee friendly plants, offering bird watching, coastal life, outdoor yoga, running and cycling and open water swimming. They would be encouraging guests to arrive by public transport and offer a free shuttle service. Bikes would be available on arrival and for those less able guests, a shuttle to Southwold and Walberswick would be

offered and that would result in less local traffic and address parking. From his own experience and research, there had been no road accidents in the last 20 years and it was hoped the provision on the holiday pods would allow others to enjoy the environment.

Whilst there had been some initial concerns over parking, Members accepted that that issue had now been resolved. It was considered to be a good scheme allowing visitors to take advantage of the beautiful area and county. There being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with details/drawings contained in the submitted supporting statement as amended by drawings A04-06B received 11/12/20 and A04-07 received 10/11/20; and drawing 100920/01 received 17/09/20; and the Preliminary Ecological Appraisal (PEA) by Aspen Ecology, dated August 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The glamping units hereby approved shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Aspen Ecology, August 2020) as submitted with the planning

application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

6. No external lighting shall be installed at the site unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority.

The strategy shall:

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

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

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

7. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, 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 hedges 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 or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

8. The recommendations of the Arboricultural Impact Assessment shall be implemented in full.

Reason: To protect the trees during the course of development in the interests of visual amenity.

9. The bin storage and presentation area shall be provided in accordance with the details shown on drawing A04-06, before the development is brought into use, and shall be retained thereafter for no other use.

Reason: To ensure the satisfactory provision is made for the storage and collection of refuse in the interests of visual amenity and highway safety.

10. The visibility splays shown on drawing A04-07 shall be provided before the development is brought into use and shall thereafter be retained as such.

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.

11. The use shall not commence until the area(s) within the site shown on drawing A04-06B 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 where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

12. 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.

13. Within 3 month(s) of commencement of development, satisfactory precise details of a tree and/or hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority. The scheme shall include the infilling of existing gaps in the roadside hedge.

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

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

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

11 DC/20/4001/FUL - 9 Trinity Street, Southwold

The Committee considered report ES/0628 which gave details of the application for the conversion of an existing retail unit to a holiday let which would be specifically designed for the disabled.

The Senior Planner advised that the building comprised a shop on the ground floor with flat above and prior to the shop use, the premises had been used as a holiday letting agency.

Members received a presentation showing the site location plan, street views in both directions, the existing and proposed floor plans showing the addition of a shower and how the accommodation would be laid out.. The south west sections showed the access to the first floor flat and bin storage area.

The Senior Planner explained the material planning considerations and key issues and confirmed that the retail use was not protected as the site was outside of the town centre. Self-catering accommodation played a vital role and would support local shops and services in accordance with policy 8.15. The objection due to lack of parking could not be substantiated particularly as it might be that disabled visitors would not be driving. The conversion would cause no harm to the asset. The proposal complied with policy WLP8.34 in the Local Plan and a financial contribution had been made towards RAMS. Approval was being recommended subject to controlling conditions.

The Chairman invited questions.

Members sought clarification with regard to:

- The property being a holiday let and not a second home.
- Enforcement of the holiday letting conditions.
- The location of the bedroom.
- The provision of a shower not wet room.

The Senior Planner advised that the property would be for short term letting, not exceeding 56 days, and a register of guests would need to be maintained and provided on request. The open plan layout provided bedroom space between the living area and bathroom facilities. She suggested the provision of a wet room could be clarified with the Applicant.

The Chairman invited the public speakers to address the Committee.

Councillor Beavan confirmed that the Town Council had asked him to speak.

Councillor Beavan stated that it was a really good idea for disabled accommodation close to the beach but understood that such a requirement could not be put in as a planning condition. He commented on the concerns that the Conservation Area used to have shops and main homes; now, a few were real homes and another 10 in the

street were second homes. There needed to be some protection for the High Street and, with shops being turned into holiday lets, what about the long term affects of such changes. Looking at flexibility and resources in the town centre, holiday letting was the most profitable business in Southwold and without planning, it would take over everything. It was important to save Southwold in the long term.

As Applicant, Ms R Meo explained that she was the property owner and wished to explain that some issues raised were not all valid. There would be a change of use but the original form would be retained. Having been paying business rates, there would be private bin collection and a bin store was being provided for that purpose. There would be no blocking of the access. With regard to a disabled parkin bay, she would provide all customers in advance of the nearby parking facilities in the town. The upstairs flat had been a holiday let since 2015 and there were not issues with parking as many people arrived by public transport. Whilst the Town Council had attempted to block the application due to the lack of parking, it should be noted that County Highways could not uphold an objection on the basis of lack of parking provision. Ms Meo advised that in 15 years of her letting business, she had never had a property specifically suitable for disabled/wheelchair users and this was now being offered. She thanked the officer for recommended approval.

A Member commented that under the relevant Traffic Regulation Order, a disabled parking bay was provided to a specific user and not to a specific to a property.

In response to Members' questions relating to the facilities for the disabled including the provision of a wet room, the Applicant advised that the shower unit had appropriate rails and a special bed would be in place. It was possible to go straight into the property from the outside which was suitable for wheelchair use.

During the ensuing debate, whilst appreciating visitors' enjoyment of the Suffolk coast, concerns were raised over the plans and if there was sufficient room for a wheelchair to manoeuvre in the proposed shower room. Members sought assurance that a wet room would be provided and

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing 155103 received 07/10/20, and the applicants supporting information received 09/11/20, 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 premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking or re-enacting the said Order). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the premises are considered unsuitable for permanent residential development, given the space standards and lack of outdoor space.

4. The areas to be provided for storage of Refuse/Recycling bins shown on drawing number 155103 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose. The collection of refuse shall be in compliance with the details submitted with the application.

Reason: To ensure that adequate provision is made for the collection/storage of refuse recycling bins.

5. The new window in the south-west elevation shall be fitted with obscure glazing and thereafter retained as such.

Reason: To avoid undue loss of privacy to neighbouring residents.

The meeting concluded at 4.48pm.

.....
Chairman

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

22 February 2021

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 22 January 2021. At present there are 14 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 report concerning Outstanding Enforcement matters up to 22 January 2021 be received.

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 	28/02/2021

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"> • 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. 	April 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"> • 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. 	
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 	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice. Case to be referred to Legal Department for further action.</p> <ul style="list-style-type: none"> • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) • 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 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. • 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. 	
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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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 • 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 	31/03/2021

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"> • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department 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 	30/04/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>communicated and met with 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. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> • Enforcement Notices served on 10/12/2018 • Notice effective on 24/01/2019 • 3 months given for compliance • Appeal submitted awaiting Start Date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed and amended. Compliance with both Notices by 13/08/2020 • Site visit conducted. Some works have been completed but due to Covid-19 pandemic work to remove refrigeration units has been delayed. Extension of time given until 02/10/2020. • Further extension of time given until 30/11/20. • 03/12/2020 - Site visited. MCU Notice has been complied with and Operational Development Notice partially complied with. Final steps 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					are not required for completed until 31 st March 2021.	
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. 	30/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> • Breach of Condition Notice served 01/08/2019. • DC/19/4557/VOC Planning application submitted 21/11/2019 • Application refused 15/01/2020 • Currently within appeal period. • Application received DC/20/1387/AME to amend roof material. • DC/20/1387/AME approved 28/04/2020. • Team monitoring progress • Work due to commence early November 2020. • Site Visit planned to check compliance. • Site visited and work has not taken place. Internal meetings taking place to discuss further action. 	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> • Notice served 26/11/2019 • Compliance visit to be conducted when possible. • Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step. • Enquires being made to take direct action. • Contractors arranged to undertake the required work. • Owner arranged for workers to undertake required work in place of Council Contractors. • Site visit due to check compliance. • Notice not complied with in full. Internal discussions being held to decide the next step. • Contractors being contacted to complete work. • Contractors undertook garden clearance on 13th January 2021. Will return at 	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					later date to complete outstanding work.	
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. 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. 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> 17/01/2020 – Enforcement Notice served. Appeal received. Statements due by 27/04/2020 Awaiting Planning Inspectorate Decision Appeal dismissed with amendments. Compliance date 26.12.2020. Judicial review submitted. Judicial review dismissed. Compliance date 23/03/2021 	23/03/2021
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	<ul style="list-style-type: none"> 30/06/2020 – Enforcement Notice served. Appeal submitted awaiting start date. Appeal started. Final comments by 09/11/20 Awaiting Planning Inspector Decision. 	30/01/2021
ENF/2020/0049 /DEV	12/01/2021	South	17 Saxonfields, Snape	Installation of a replacement roof on conservatory	<ul style="list-style-type: none"> Enforcement Notice served. Comes into effect on 15/02/2021 	15/06/2021

Committee Report

Planning Committee North – 22 February 2021

Application no DC/20/2593/FUL

Location

High Dene
105 Park Road
Lowestoft
Suffolk
NR32 4HU

Expiry date 16 September 2020

Application type Full Application

Applicant Mrs Elaine Thomas

Parish Lowestoft

Proposal Change the use from C2 Residential care home to large HMO (Sui-Generis category) - Supported Housing for people with complex needs

Case Officer Iain Robertson
(01502) 523067
iain.robertson@eastsuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the change of use of 105 Park Road, Lowestoft from a C2 Residential care home to a large House in Multiple Occupation (HMO) (Sui-Generis use category) providing supported housing for people with complex needs. The accommodation would be supervised 24 hours a day.
- 1.2. The site is situated within the settlement boundary of Lowestoft and outside of any of the 'Flat Saturation Zones' as highlighted within Policy WLP8.4 of the Local Plan and shown on the policies maps. Under the Local Plan, the conversion of premises to HMO's is only permitted in exceptional circumstances.
- 1.3. The supported housing facility proposed by The Stone Foundation - to be managed by Mavam Group Ltd - would be in line with the strategic aims of Suffolk County Council with regard to supported housing delivery. In this case 'exceptional circumstances' have been demonstrated.

- 1.4. Given that the justification for this proposal relates to the type of accommodation offered and the management proposed within this application, in these circumstances the application is recommended for approval as a personal permission.
- 1.5. The application was considered by the Planning Committee (North) meeting on 8 December 2020. Members expressed concerns with the level of information provided regarding the location of the staff facilities within the accommodation such as office and sleeping accommodation; the maximum number of occupants of the accommodation and the staff numbers required to assist the occupiers of the accommodation. A decision on the application was deferred to enable officers to establish these matters with the applicant to enable members to fully consider the application. Officers have been in discussion with the applicants following the meeting to seek the information requested by Members.

2. Site description

- 2.1. The site is situated within the North Lowestoft Conservation Area; the property at 105 Park Road is noted within the Conservation Area Appraisal for being of local importance and is therefore considered to be a Non-Designated heritage Asset (NDHA) which forms part of the 'Local List'.
- 2.2. The site is within easy reach of all local services and facilities within the vicinity and the Town centre of Lowestoft.
- 2.3. The northern end of Park Road is characterised by larger dwelling houses. The southern end of Park Road intersects with St. Margaret's Road and Melbourne Road and is made up of much higher density terraced housing and some purpose-built flats.
- 2.4. Harleston House Care Home is situated to the northern end of Park Road which is an imposing larger property which has been extended in recent times. Abigail Court and Trinity Methodist Church front Yarmouth Road but are also accessed from Park Road.
- 2.5. Royal Avenue runs parallel to Park Road and at its Northern end with the junction of Yarmouth Road is situated Avenue Mansions.
- 2.6. Lyndhurst Road is situated to the north of Yarmouth Road and is highlighted as a flat saturation zone as highlighted on the policies map and described within Policy WLP8.4 "Conversion of properties to flats".

3. Proposal

- 3.1. The proposal is for the change of use of 105 Park Road, Lowestoft from a C2 Residential care home to large HMO (Sui-Generis category) providing supported housing for people with complex needs.
- 3.2. This is a supported housing scheme managed by Mavam Supported Housing (MSH), which would be staffed 24 hrs a day, creating approximately 10 new employment opportunities for

the local community. MSH provides support to people aged sixteen upwards, with no upper age limit. The users of their services will usually have a diagnosis of a Learning Disability, such as autism, physical disabilities and/or a mental health problem.

- 3.3. Residents will be supported by a minimum of six staff. Each service user will have an individual, flexible, care and support package which is adapted according to need.
- 3.4. As shown on the submitted floor plans; two of the rooms on the ground floor will be set aside for staff use. One for office accommodation and the other as staff sleeping accommodation. It has been highlighted that the top floor will be used for staff training facilities. The remaining 10 bedrooms will be available for residents, which will therefore provide accommodation for a maximum of 10 people.
- 3.5. People are supported with all aspects of daily living such as shopping, cooking, cleaning, budgeting and medication, as well as emotional support and are provided with access to meaningful activities and opportunities.
- 3.6. Social groups and activities are regularly provided along with making full use of the local community. Each service user has an allocated keyworker who oversees and coordinates their support, which includes developing a support plan and a robust risk assessment.

4. Consultations/comments

- 4.1. Fifty-seven letters of objection have been received raising the following key planning issues (inter alia):
 - Would result in an unbalanced community - large quantity of temporary and supported housing in the area (Abigail Court, Avenue Mansions, Royal Avenue, Flats at the south end of Park Road).
 - Flat saturation over 20%. Postcode NR32 4HU is in a heavily saturated area of flats which has resulted in a rise of neighbourhood disturbances, in-appropriate behaviour, anti-social behaviour, criminal activity including drug dealing and participation.
 - Loss of care home places when the Strategic Housing Market Assessment identifies a need for 905 additional spaces in care homes and nursing homes over the plan period.
 - Policy WLP8.4 requires that exceptional circumstances need to be demonstrated for the conversion of houses to HMO's.
 - More undesirable in planning terms than retaining care home use.
 - Not the right location for people with drug or alcohol related problems.
 - How would this use not become an uncontrolled HMO?
 - Overlooking
 - Noise and disturbance
 - Increase in on-street parking
 - Surrounding road network is unsuitable
 - Harm to the Conservation Area
 - Safeguarding concerns - Wellbeing and safety of surrounding residents
 - Information on deliveries not specified
 - Used to be a very desirable residential area but is now gradually degenerating from such uses.

- Raises serious fears of an increase of crime & anti-social behaviour
- Security

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	24 July 2020	12 August 2020
<p>Summary of comments:</p> <p>The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 12 August 2020. It was agreed to recommend refusal of the application.</p> <p>The Town Council were in receipt of numerous public objections to the proposed change of use and these were noted as part of the consideration.</p> <p>The reasons for refusal are listed as; whilst Park Road is not within the Flat Saturation Zone the Council were concerned that the number of units created by this change of use would be contrary to policy WLP8.4 (para 2) and the 20% figure being exceeded, there seems to be no exceptional circumstances for this conversion to be permitted (para 3 of WLP8.4), the application included no justification on how the supported housing will be managed, and there is insufficient parking and bin storage allocation. The change of use will have a detrimental impact of the local residential amenity by virtue of the movements to and from the supported housing. There are no material changes to the building included as part of the application and it is requested that if such are planned an appropriate application is submitted. It was also noted that no site notice had been displayed at 105 Park Road to inform local residents of the application.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	30 July 2020	30 July 2020
<p>Summary of comments:</p> <p>Advice relating to access, firefighting facilities, and water supplies.</p>		
Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	24 July 2020	14 August 2020
<p>Summary of comments:</p> <p>No objection subject to a condition requiring manoeuvring and parking area to be provided.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Police - General	20 August 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Head of Housing	28 July 2020	No response
Summary of comments: Internal - Comments previously received included in report.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	24 July 2020	29 July 2020
Summary of comments: No concerns or comments to make.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	16 September 2020	15 October 2020
The Town Council's Planning and Environment Committee re-considered this application at a meeting on 13 October 2020, the additional information submitted by the applicant and the numerous public objections. It was agreed that the Town Council's original recommendation of refusal of the application still remains.		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	31 July 2020	21 August 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	31 July 2020	21 August 2020	Lowestoft Journal

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 states that with regard to Conservation Areas *“special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”*.
- 6.3. National Planning Policy Framework (NPPF) (2019)
- 6.4. National Planning Policy Guidance (NPPG)
- 6.5. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

WLP8.1 - Housing Mix

WLP8.4 - Conversion of Properties to Flats

WLP8.21 – Sustainable Transport

WLP8.29 - Design

WLP8.37 - Historic Environment

WLP8.39 - Conservation Areas

7. Planning considerations

Principle:

- 7.1. The use of a building as a large HMO falls outside of a specific use class and is therefore classed as 'Sui Generis'.
- 7.2. Policy WLP8.4 - "Conversion of Properties to Flats" is applicable in this case. This policy states that: *"no further conversion to self-contained flats/houses in multiple occupation will be permitted in Flat Saturation Zones on Lyndhurst Road, part of Denmark Road, part of London Road South and part of Kirkley Cliff Road, Grosvenor Road, Cleveland Road and Windsor Road where saturation levels are exceeded"*.
- 7.3. *"Outside the Flat Saturation Zones planning permission will be granted for conversion of existing buildings to fully self-contained accommodation where the saturation figure for the street does not exceed 20% and residential properties are above average size (i.e. above 160sqm original gross floorspace and include at least 5 bedrooms), no longer suited to family occupation or have a long established use (i.e. 10 years or more) as a House in Multiple Occupation or flats. The property should be located in a commercial, mixed use or other area close to services and facilities, be able to meet existing standards for parking, amenity areas, refuse bin storage and sound insulation and have no significant detrimental impacts to adjoining family houses"*.

- 7.4. In this case the site is outside the flat saturation zone, the closest of such areas is on Lyndhurst Road to the north of the application site.
- 7.5. Policy WLP8.4 highlights that some areas of Lowestoft have been subject to high numbers of flat conversions and are considered to be at saturation point. In these areas further conversions should be resisted. The point at which saturation occurs will vary according to historical and local characteristics of the street, but 20% of properties converted to flats has been held to be a general guide.
- 7.6. This policy explains that where high concentrations of conversions to flats or houses in multiple occupation have taken place this can bring about amenity issues. These include on street parking, bin storage and increased levels of activity and disturbance.
- 7.7. Whilst objectors to this proposal have provided their own evidence suggesting this saturation figure has been exceeded leading to an unbalanced community, officers do not agree with the method that has been used to reach the high percentage figures highlighted.
- 7.8. The policy seeks to prevent high concentrations of properties converted to flats or HMO's in order to prevent the amenity issues highlighted in paragraph 7.6. In this case Park Road as a whole is made up of predominantly single dwelling houses, with a very low percentage figure of property conversions. The saturation figure should be calculated using numbers of properties converted rather than purpose-built flats and overall units created from conversions. Even if only the northern part of Park Road is considered, of the 16 properties on this part of the road only Abigail Court has been converted to flats.
- 7.9. Whilst premises such as Abigail Court and Avenue Mansions (situated on Royal Avenue) are notable conversions; other buildings in multiple occupancy use such as Care Home facilities at Harleston House and the application site itself do not lead to a saturation of Park Road.
- 7.10. In any event, the policy clearly states that this figure is a guide and harm in terms of a significant detrimental impact would need to be demonstrated in order for the proposed change of use from C2 to an HMO to contravene Policy WLP8.4 on amenity grounds. It is important to note that this property has a long-established use of housing multiple occupiers from its use as a care home and matters such as parking provision, amenity areas refuse bin storage and sound insulation remain the same as when in the existing use; furthermore the property is above average size and is unlikely to be suited to family occupation given that it has 13 bedrooms and is therefore limited in the types of use that the property could be put to.
- 7.11. The property is situated close to services and facilities as required by this policy. The policy does however state that exceptional circumstances will need to be demonstrated for the conversion to Houses in Multiple Occupation or bedsits, as opposed to self-contained flats, to be permitted".

Exceptional circumstances - Need for Specialist types of accommodation:

- 7.12. This proposal is for a supported housing scheme rather than an unrestricted HMO. As stated in the proposal section of this report, the property would be managed by Mavam Supported Housing (MSH), which would be staffed 24 hours a day. The users of their services will

usually have a diagnosis of a Learning Disability, such as autism, physical disabilities and/or a mental health problem.

- 7.13. Section 6 of The Ipswich and Waveney Housing Market Areas - Strategic Housing Market Assessment (SHMA), Volume 2 - May 2017 considers the housing requirements of specific groups of the population.
- 7.14. Paragraph 6.12 of the SHMA highlights that to meet the occupation patterns predicted by the County Council in 2036 the model identifies a requirement for 1,197 additional specialist units of accommodation in the Waveney Housing Market Area (HMA). It is stated within this section of the SHMA that:
- 7.15. *"The actual numbers and type of specialist accommodation needed may depend on changes in patterns of demand and expectations and it is also recognised that Suffolk County Council are developing further accommodation typologies to best respond to future care needs, and it is therefore appropriate to consider this level of need with the acknowledgement that the form of accommodation delivered should not be too prescriptive".*
- 7.16. A letter accompanies the application from Suffolk County Council (Adult and Community Services) with the following statement:
- 7.17. *"I can confirm that there is a supportive housing need for the proposed scheme in Lowestoft for specialist supported living dwellings for people with a range of disabilities. The proposal would be in line with the strategic aims of Suffolk County Council and is responsive to the required transition service of suitable accommodation for a number of prospective residents who require supported housing. The proposed development is in a good location and would provide good access to amenities and the local community".*
- 7.18. As well as the need for specialist housing this section of the SHMA also considers the requirement for Registered Care (nursing and residential care homes). In the Waveney HMA, it is estimated there will be a requirement for an additional 905 spaces over the plan period. This figure is referred to within the pre-ambles to Policy WLP8.1 - "Housing Mix". Objectors to this proposal are of the view that this statement provides a presumption against the loss of care homes; however, there is no policy protection against the loss of existing care homes from change of use.
- 7.19. These additional spaces are being sought through larger allocations in the Local Plan through the provision of retirement communities. Purpose built facilities are much more suitable for this type of accommodation and the loss of smaller facilities in older buildings such as this cannot be resisted in principle. Furthermore, this facility has ceased trading and the property is currently vacant.
- 7.20. Suffolk County Council have had input into the evidence base to the SHMA and are supportive of this proposal. Whilst it is acknowledged that there is a need for both care home spaces as well as specialist forms of accommodation it is considered that this type of facility provides an important housing need which is clearly required and therefore 'exceptional circumstances' have been demonstrated in this instance. The proposal is therefore considered to comply with Policy WLP8.4 in this regard.

Neighbour Amenity:

- 7.21. Policy WLP8.4 and WLP8.29 of the Local plan require that proposals do not have any significant detrimental impacts to adjoining family homes and that proposals protect the amenity of the wider environment; neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.22. The majority of the objections to this proposal relate to the perceived impact on neighbour amenity of houses in multiple occupation, in terms of antisocial behaviour, noise and disturbance and general environmental decline. Whilst some of these issues have been experienced in some parts of Lowestoft due to certain streets reaching saturation point, this is not considered to be the case here. Many of the objections to this proposal relate to the specific occupiers of this accommodation, it is important to note that this is not a material planning consideration.
- 7.23. The applicant has experience in running supported accommodation and would therefore be considered to be a responsible landlord. Together with effective management by Mavem, as detailed within their supporting statement, the amenity of occupiers of surrounding properties and that of the wider environment will be protected and the proposal would comply with the requirements of Policy WLP8.29 and WLP8.4. Furthermore, in order to ensure that the accommodation continues to be operated as proposed within this application and does not become an unrestricted large HMO it is recommended that a personal permission be granted.

Crime:

- 7.24. Objections have been received in relation to rising crime figures in the area. Policy 8.29 highlights that development proposals should take into account the need to promote public safety and deter crime and disorder. Although objectors contend that the proposal will increase the prevalence of crime and anti-social behaviour there is no evidence to support this claim. Furthermore, the Police have been consulted on this application and have chosen not to comment. Given that this is for supported accommodation and the applicant has highlighted that CCTV will be in operation it is considered that the proposal would meet the requirements of Policy WLP8.29.

Personal permission:

- 7.25. Section 75 of the Town and Country Planning Act 1990 states that *"any grant of planning permission to develop land shall (except in so far as the permission otherwise provides) enure for the benefit of the land and of all persons for the time being interested in it"*.
- 7.26. Section 70 (1) of the Act allows Local Planning Authorities to grant planning permission, either unconditionally or subject to 'such conditions as they think fit'. This power needs to be interpreted in light of material considerations such as the National Planning Policy Framework, supporting guidance on the use of conditions (circular 11/1995 - Use of Conditions in planning permissions), and relevant case law.
- 7.27. Planning Practice Guidance (PPG) and the above circular 'Use of conditions in planning permissions' highlight that there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who

would benefit from the permission. Although planning authorities are given very wide powers to impose 'such conditions as they think fit,' nevertheless the law says that those conditions, to be valid, must fairly and reasonably relate to the permitted development.

- 7.28. As the justification for this proposal relates to the type of accommodation being proposed and those that will occupy it, the management of which is integral to the proposal, it is considered appropriate in these circumstances to condition that this permission be personal to the applicant 'The Stone Foundation' to be managed by Mavam Group Ltd.

Other matters - Appearance of Conservation Area:

- 7.29. It has been highlighted by objectors to the proposal that unauthorised alterations to the frontage of this site have been carried out, which have had a harmful impact on the character and appearance of the Conservation Area. Although these works were carried out prior to the applicant's involvement in the site, the applicant has committed to an undertaking to replant trees, rebuild the wall to the frontage and remove some of the hard-surfacing area. The specific details of which will be required by condition.
- 7.30. Such works would be intended to re-introduce features to the frontage which would have a positive impact on the character and appearance of the Conservation Area as required by Policy WLP8.39 of the Local Plan and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highways:

- 7.31. It is extremely unlikely that any of the people who would occupy the premises would have their own vehicles and the parking provision on site would be similar to that when the building was used as a care home. MSH promotes the use of public transport and provides cycles for staff to use to limit the reliance on vehicles and being conscious of environmental issues. Cycle storage will be provided in accordance with the requirements of Policy WLP8.21 "Sustainable transport".
- 7.32. Even with the proposed works to the frontage area this would still allow parking provision for 2 - 3 cars within the site of which Suffolk County Council as highways authority do not object to. It is considered that on the occasion that on-road parking does take place, this would not have an unacceptable impact on highway safety and would comply with the requirements of Paragraph 109 of the NPPF.

8. Conclusion

- 8.1. The proposed HMO would provide supported housing accommodation to be managed by Mavam Supported Housing (MSH), which would be staffed 24 hrs a day.
- 8.2. The site is situated outside of the flat saturation zones in Lowestoft and would not result in a saturation point being reached within Park Road, which as highlighted in policy WLP8.4 the guide figure of 20% is specified.

- 8.3. Suffolk County Council have confirmed that there is a need for specialist supported living accommodation for people with a range of disabilities and it is therefore considered that this justifies 'exceptional circumstances' required for an HMO to be permitted under Policy WLP8.4. The provision of specialist accommodation and the resultant additional job creation represent significant social and economic benefits which are important strands of 'sustainable development' as required by the NPPF. Furthermore, the need for such accommodation is likely to be in greater demand in the wake of Covid-19.
- 8.4. The applicant has experience in running supported accommodation; together with effective management and control of the use, which would be for the benefit of 'The Stone Foundation' to be managed by Mavam Group Ltd, the amenity of occupiers of surrounding properties and that of the wider environment will be protected and the proposal would comply with the requirements of Policy WLP8.29 and WLP8.4.

9. Recommendation

- 9.1. Approve subject to the following conditions:

10. Conditions:

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

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

2. The development hereby permitted shall be completed in accordance with the layout plan received 04 November 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. This permission shall endure solely for the benefit of the Mavam Group Ltd to be managed by 'The Stone Foundation' and not for the benefit of the land. When the premises cease to be managed by the above named groups the use hereby permitted shall cease.

Reason: Having regard to the special circumstances put forward by the applicant.

4. Prior to first use full details of the frontage layout, (including manoeuvring and parking area, tree planting, reinstatement of frontage wall and reduction in hard standing area) shall be submitted for approval in writing to the Local Planning Authority. The approved scheme shall be carried out in its entirety within six months of first use of the site or within such other period as may be agreed with the Local Planning Authority, and any trees which die in the first 3 years shall be replaced in the next planting season.

Reason: To ensure the satisfactory appearance of the frontage of the site and that sufficient space for the onsite parking of vehicles is provided and maintained.

5. Details of secure and covered cycle storage shall be provided to and agreed in writing by the Local Planning Authority. The facilities as approved shall be provided prior to first occupation of the units and shall be retained thereafter.

Reason: To encourage people to travel using non-car modes.

6. 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 to other users.

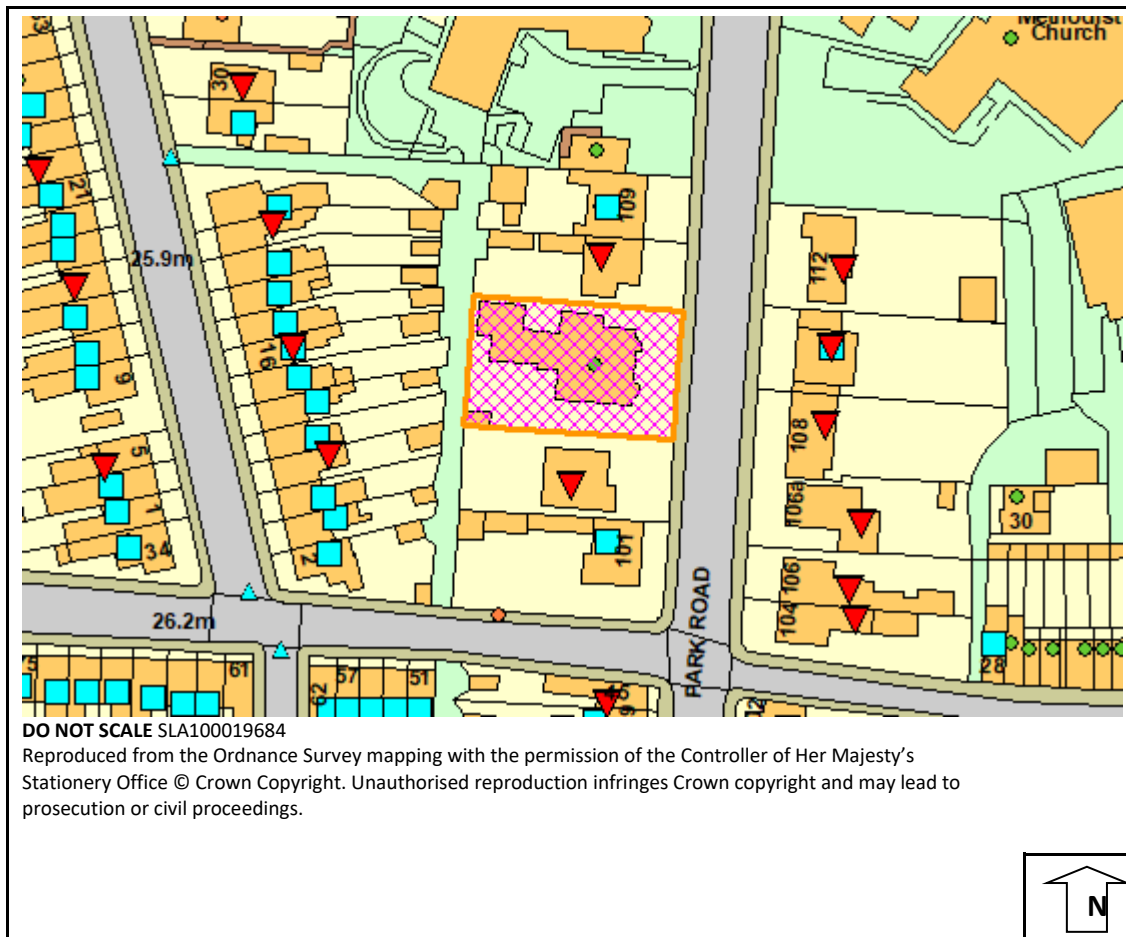
Informatives:

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 Papers

See application reference DC/20/2593/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 22 February 2021

Application no DC/20/1001/OUT

Location

Land to the north of School Road,
Ringsfield Corner

Expiry date 31 May 2020 (EOT until 12 February 2021)

Application type Outline Application

Applicant Mark and Paul Timm

Parish Ringsfield

Proposal Outline application (some matters reserved) - Construction of up to 33 dwellings, open space, landscaping, visitor car park and site access from School Road

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastsoffolk.gov.uk

Authorising Officer Joe Blackmore, Principal Planner (Development Management)

1 Summary

- 1.1 Outline application for the construction of up to 33 dwellings, open space, landscaping, visitor car park and site access (with all matters reserved aside from access) at land to the north of School Road, Ringsfield Corner.
- 1.2 In accordance with the scheme of delegation as the 'minded to' decision of the planning officer, to approve was contrary to the comments received by Ringsfield and Weston Parish Council, the application was referred to the planning referral panel meeting on Tuesday 22 December 2020. The Referral Panel referred the item to Planning Committee, so that the Planning Committee can consider the impact of the density of development within the proposed site.

Statement of case

- 1.3 The site is allocated within the East Suffolk - Waveney Local Plan (Policy WLP7.14) as a sustainable location for the development of approximately 30 dwellings in an area of 2.56 hectares. As such, the outline proposal for the construction of up to 33 dwellings as well as open space, landscaping, visitor car parking and site access from School Road is deemed acceptable in principle subject to accordance with all respective policies.
- 1.4 Despite concerns relating to the proposed layout and density of the proposal, which are exacerbated by the condensed site area, it is only the means of access which is being considered within the outline application. This covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site. As such, details relating to appearance, landscaping, layout and scale will be agreed at a later stage under a "reserved matters" application - along with further aesthetic detail and sustainability requirements.
- 1.5 Matters raised at this stage relating to highways, flooding, ecology, landscape and environmental protection can be sufficiently mitigated, methods of which are to be secured by way of condition. Whilst any impacts upon facilities and public services can be mitigated through Community Infrastructure Levy funding.

2 Site description

- 2.1 The site comprises a broadly rectangular parcel of land north of School Road, Ringsfield Corner - with an overall area of approximately 1.86 hectares. It currently forms 1.84 hectares of Grade 3 agricultural land and 0.4 hectares of highways land, with well-established vegetation along the southern and eastern boundaries. The surrounding environment comprises agricultural fields to the north and west, John John's Wood to the north-east, residential properties to the south-east and south-west, and Ringsfield Primary School to the south, opposite the site on School Road - there are also two ponds located beyond the site's northern boundary.
- 2.2 Topographically the site is relatively flat, sloping gently down from north to south. It is located within Flood Risk 1 zone, which the Environment Agency defines as having a low probability of flooding. A public right of way runs along the western boundary of the site from School Road heading north towards Ringsfield.
- 2.3 The site is not within a Conservation Area and does not contain any listed buildings within its curtilage. The nearest heritage designations are a Grade II Listed building (Pound Farmhouse) approximately 0.5 kilometres to the south east, and a cluster of Listed buildings approximately 1.1 kilometres to the north (Church of All Saints - Grade II*; Serpentine Wall immediately south of the church - Grade II; Old Hall Farmhouse - Grade II; The Old Rectory - Grade II; The Manor House - Grade II; and The White House - Grade II). The nearest Scheduled monuments are located approximately 3.2 kilometres to the northeast (Moated site of Barsham Hall and remains of associated buildings) and approximately 2.8 kilometres to the southwest (Moated site and associated earthworks at Westend Farm).
- 2.4 The site is also located outside any statutory land-based designations.

3 Proposal

3.1 An outline planning application with all matters reserved, except access, is submitted for the 'erection of up to 33 dwellings, open space, landscaping, visitor car park and site access from School Road' at land to the north of School Road, Ringsfield Corner.

3.2 This application seeks planning permission for:

- The principle of up to 33 dwellings on the site, together with open space, landscaping and visitor car parking.

The detail of site access, which comprises:

- A vehicular and pedestrian access from School Road to the south west of the site;
- Agricultural access from School Road to the south east of the site; and
- Pedestrian access via a footpath to School Road.

3.3 The illustrative site plan (reference 1520A-00-003) is provided to demonstrate that up to 33 units can be accommodated on the site whilst meeting relevant planning policies. The following key considerations have been explored in the preparation of the illustrative scheme:

- A 24-space school visitor car park;
- Enhanced boundary landscaping; and
- Drainage strategy.

3.4 A remaining area of 0.7 hectares is located within the blue line of the site location plan and outside of the application site. This land is within the ownership of the applicant and it is included within the full area of the 2.56-hectare WLP7.14 allocation to accommodate approximately 30 dwellings.

4 Consultations/comments

4.1 Eleven objections have been received, raising the following matters (inter alia):

- Increase traffic flow and highway safety issues particularly in relation with the school.
- Out of character and will create urban landscape.
- Invasion of green belt.
- Remote location with insufficient pedestrian access.
- Insufficient sewage systems.
- Ecological disturbance due to proximity to John John's Wood.
- Flood risk due to surface water drainage.
- Residential amenity impact of substation location close to existing dwelling.
- Not utilising entire allocated site.
- Lack of capacity at primary school and nearby medical centres.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Ringsfield Parish Council	6 March 2020	31 March 2020

“Ringsfield and Weston Parish Council have considered the Outline Planning proposal and as it currently stands has our total, complete and strongest objection for the following reasons. As this is the first major development in the local rural area, it is extremely important that rural development is carried out correctly and sympathetically or there is the risk it will destroy the rural landscape and village character. Poor development will impact rural life far more than no development at all. The projected housing growth in rural areas as allowed for in the Locality Plan is welcomed as it will allow our rural communities to be maintained and to thrive and continue to offer pleasing places to live. However any development can easily irrevocably damage the whole nature of the village dynamics and it is paramount any development has correctly considered all local aspects that can have a significant impact. Specifically the development as outlined in DC/20/1001/OUT is designed to an urban density with the purpose of maximising profit through the housing count. Ringsfield Corner has approximately 75 houses within the Village envelope, the proposal to add 33 houses in one condensed area, will represent a 50% increase in the village housing number. The outcome will be a housing estate inappropriately tagged onto the edge of the village. Whilst the following policy is probably not considered applicable to larger or pre-approved Local Plan Policy sites as it only covers up to 5 houses, it does however set out very clearly what should be expected from any housing development in the countryside and in particular a collaboration with the local community. Policy WLP8.7 – Small Scale Residential Development in the Countryside Small scale residential development in the Countryside of up to and including five dwellings will also be permitted where:

- There is clear and demonstrable local support;
- The scheme demonstrates meaningful and robust consultation with the Parish Council, local community and other stakeholders;
- Following consultation, it can be demonstrated that any planning impacts identified by the local community have been fully addressed and therefore the scheme is supported by the community;
- The site is adjacent or within the built up area of the settlement within the Countryside; and
- The scheme when considered cumulatively with other developments in the Countryside would not result in a level of development which would be contrary to the strategy outlined in Policies WLP1.1 and WLP7.1. The current proposal does not respect this approach. The street scene in the area of the development is predominantly bungalows, the developer is only proposing houses this is in conflict with the street scene and is inconsistent with the village. For all small scale development in the Countryside the design of the scheme will need to respect and reflect the character of the settlement and existing built up frontage including:
 - Housing density is reflective of the density in the village and surrounding built up area; and
 - The ratio of the building footprint to the plot area is consistent with existing properties nearby which characterise the village It is considered that the Russell's Green development at the Ringsfield cross roads is a very good example of what would be acceptable to the Parish Council in terms of spacial layout. The Russell's Green Site and the Proposal Site are identical in size. Observations on the Proposal The original Policy Map for WLP7.14 included the whole field measuring 2.56 Hectares and this was approved in the plan to accommodate

approximately 30 houses. The other criteria was that the land could be developed at a density of 20 houses per Hectare. Under this planning application the developer has reduced the plot size by 25% to 1.86 Hectares by not developing up to the northern field boundary. A further 0.22 Hectares has been set aside for the school parking area. This therefore leaves 1.64 Hectares for housing and when this is multiplied by the dwelling density of 20 as mentioned in the Local Plan Policy, this provides the total of 33 houses. By reducing the plot size and working with the maximum density number the developer has squeezed the amenity space to a minimum and has left a significant portion of the allocated plot for possible future development. This intention can be seen by the road layout, where the road terminates in a dead end a few metres from the northern boundary. Similarly, the recommendation for allowance in the site drainage for urban creep would support the notion additional development is planned. The PC requests confirmation of the future developmental intentions.

WLP7.14 Paragraph 7.130 The adjacent residential area has a housing density of approximately 15 dwellings per hectare. There should be a good mix of dwelling sizes on the site including terraced, semi-detached and detached properties. All properties should have generous front and back gardens, and space should be provided for landscaping on street frontages. By reducing the plot space the development will appear extremely condensed, the design provides for very small gardens and limited green amenity space. This paragraph has not been suitably addressed by the developer. There appears to be no provision for adaptable housing as required by Policy WLP8.31 – Lifetime Design. All new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above. Bungalows are the most appropriate housing form to meet this policy and will be within keeping with the current housing stock. With reference to the proposed school parking spaces. The design would be significantly enhanced by making the agricultural entrance a proper road and the formal entrance to the parking bays, having a single direction (one way) flow would deliver improved safety. The main estate entrance would be the exit from the parking. The parking road seems narrow and it can be seen that motorists are likely to use the driveway of the housing to facilitate manoeuvring which will increase tension between parents and house owners. Parents generally look for easy access and the difficulty of this arrangement may lead to the facility being underused and the chaotic parking on School Road continuing. This arrangement should be reconsidered. In the Flood Risk Assessment and drainage strategy report submitted it is stated: 'For sites in Flood Zone 1, the Flood Risk Assessment is principally required to consider the management of surface water run-off together with flood risk from sources other than rivers and the sea. Surface water arising from a developed site should, as far as practicable, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the site itself and elsewhere, taking climate change into account.' The drainage philosophy proposed is not convincing as it appears that the site is going to rely on a lagoon for hold up of rain water off-run and surges. The lagoon is then pumped to the local ditch system. This approach does not represent a sustainable solution. The current boundary ditches are prone to flooding particularly as the area is clay based. The proposed system has potential to overwhelm the ditches to the south of the proposed development with implications for the flooding of the school and residential properties. The land to the north drains towards the Church and the conservation area including listed properties around the Church. Persistent and heavy rain leads to surface translocation of water from the proposed area entering the ditch system along Church Road after the junction with Ringsfield Road. Previous run-off has led to the flooding of the Church. The listed properties fall within the 1km radius of the site

but have not been considered or included within the archaeological report. This aspect should be reconsidered.

With reference to the transport statement: It is somewhat disappointing that the consultation carried out failed to include any local group such as the Parish Council. Suffolk Highways has been part of the ongoing Parish consultations on the rise of traffic passing through Ringsfield due to the opening of the Southern by-pass. The increase in traffic has come with an increase in speed of the traffic passing through. The recorded data from the vehicle activated signs supports this aspect. Continually, high speeds are recorded outside the school in both directions and is a constant complaint made by the school. The speed limit outside the school is 30mph and not 20mph as suggested in the report and additional traffic calming measures would be required to enable the use of the proposed crossing from the car park area. Chicane measures would not be appropriate due to the agricultural traffic requiring access. The VAS regularly records 50+ cars travelling towards the village between 8.30 and 9.30am.

The Border bus travelling between Beccles and Halesworth stops in the village twice a day in each direction. This bus does not deliver passengers into Beccles or Halesworth for the start of the working day or home at the end of the day. The Border bus serving Southwold and Beccles and Bungay does not stop in Ringsfield as suggested in the transport statement. The bus does not pass by the secondary school. The secondary school is not within a safe walking distance as the roads have no pavements, blind bends and unrestricted speeds – the roads are too dangerous for children to walk along. For 33 houses there are potentially 2 cars per household. This will equate to considerably more cars entering School Road at key times and at a point where cars entering the village are travelling at speed. The Village distance from amenities means personal transport is a must.

It should be pointed out that John Woods is not owned by the developers and should not be included in any plans without recourse to the landowner. This also applies for the other adjacent landowners.

Utilities: The water pressure is low along School Road. The request for fire hydrants and automatic sprinklers in the new properties would need to be considered in light of the low pressure.

Sewerage: Currently the sewerage along School Road is at maximum capacity with the current diameter of the pipe too narrow to support a further 33 homes. In conclusion, the Parish Council cannot support this outline planning application in its current form. The very nature of the village aspect will be dramatically impacted and therefore this development needs careful consideration by the planning authority.”

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	6 March 2020	19 November 2020
Summary of comments: Recommend approval subject to conditions as outlined within the report.		

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	6 March 2020	23 April 2020
Summary of comments: No objection subject to conditions as outlined within the report - as well as the completion of a S106 planning obligation to its satisfaction.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	6 March 2020	30 March 2020
Summary of comments: No objection subject to condition(s) - as outlined within the report.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Police and Crime Officer	6 March 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk County Council- Rights of Way	6 March 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	6 March 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	6 March 2020	23 March 2020
Summary of comments: No objection subject to conditions - as outlined within the report.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	6 March 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Disability Forum	6 March 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	N/A	16 March 2020
Summary of comments: Comments included as informatives.		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	N/A	1 April 2020
Summary of comments: No objection subject to condition(s) - as outlined within the report.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	6 March 2020	28 September 2020
Summary of comments: Itemised requirements relating to CIL and S106 outlined within report.		

5 Publicity

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

Category	Published	Expiry	Publication
Public Right of Way Affected	13 March 2020	3 April 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Public Right of Way Affected	13 March 2020	3 April 2020	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: In the Vicinity of Public Right of Way Major Application Date posted: 19 March 2020 Expiry date: 9 April 2020
---------------------	---

6 Planning policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.
- 6.2 National Planning Policy Framework (NPPF) (2019)
- 6.3 National Planning Policy Guidance (NPPG)
- 6.4 The East Suffolk Council – Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP 1.1 – Scale and Location of Growth
 - WLP7.14 - Land North of School Road, Ringsfield
 - WLP8.1 - Housing Mix
 - WLP8.2 - Affordable Housing
 - WLP8.24 – Flood Risk
 - WLP8.28 - Sustainable Construction
 - WLP8.29 - Design
 - WLP8.30 - Design of Open Spaces
 - WLP8.31 - Lifetime Design
 - WLP8.32 - Housing Density and Design
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.35 - Landscape Character
 - WLP8.40 - Archaeology

7 Planning considerations

Policy background

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.

- 7.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Outline application

- 7.3 The outline application seeks to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority before a fully detailed proposal is put forward - allowing fewer details about the proposal to be submitted. Once outline permission has been granted, approval of the details "reserved matters" is required before work can start.
- 7.4 In this instance, only the means of access, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site, is being considered within the outline application. As such, the following details will be agreed at later stage under a "reserved matters" application:
- **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development.
 - **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.
 - **Layout:** Includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
 - **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building.

Principle of development

- 7.5 The site is located within the settlement boundary for Ringsfield and is identified within the East Suffolk Council - Waveney Local Plan (2019) as an allocated site (Policy WLP7.14).
- 7.6 This is the only site proposed in Ringsfield and provides an opportunity to deliver new housing to support the community - the potential for development to have an adverse impact on the landscape and character of the settlement is considered low. The site is well connected to the road network and a regular bus service provides access to Beccles where services and facilities are available. The bus stops are accessible by public footway. The site is located opposite the primary school and community facilities including the village hall, public house, sports pitch facilities and equipped play area are within walking distance.
- 7.7 In terms of general design parameters, there should be a good mix of dwelling sizes on

the site including terraced, semi-detached and detached properties. All properties should have generous front and back gardens, and space should be provided for landscaping on street frontages.

- 7.8 The school's rural location means many pupils are driven in by car. As such, car parking and congestion has become an issue in the area during school drop-off and pick-up times. This site provides an opportunity to deliver car parking opposite the primary school to help mitigate these issues, whilst a footpath should connect this site to the existing development north of School Road.
- 7.9 The site is exposed to the open countryside along its north and west boundaries. There are low level hedgerows along these boundaries, but these are fragmented in places. New development could create a prominent and exposed settlement edge adversely affecting the rural surroundings. New development should therefore be integrated into the countryside using a quality landscaping scheme to reinforce existing hedgerows and use tree planting along the north boundary to enhance the existing wooded area located east of the site. This will provide screening and improve connectivity within the green infrastructure network and benefit biodiversity.

Site allocation

- 7.10 As outlined within Policy WLP7.14, the subject site (measuring approximately 2.56 hectares) is allocated for a residential development of approximately 30 dwellings. The proposed development of 'up to 33' accords with this approximate figure, which is a guideline rather than a set limit or 'up to' number.
- 7.11 Policy guidance stipulates that the site should be developed in accordance with the following site-specific criteria:
- The site will be developed at a density of approximately 20 dwellings per hectare.
 - Any proposal is to provide a mix of housing sizes and types.
 - A landscaped car park of at least 24 spaces must be provided on the site opposite the primary school. The car park should be secured and funded through a Section 106 planning obligation.
 - The footway on the north side of School Road should be extended to connect the site to the existing development. Hedgerows and trees located along the north and west boundaries should be protected and reinforced with additional planting. A landscaping scheme will be required to support any planning application.
 - A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.
- 7.12 Each of the policy requirements will be addressed in turn throughout the report.

Access and highways

- 7.13 Suffolk County Council as the highways authority have formally reviewed the

application and do not object to the proposal, subject to a number of conditions – these are set out in Appendix A.

7.14 For highway safety reasons, the applicant will be expected to construct a suitable access onto the site complete with required visibility splays, prior to commencing any other works on site, and the construction of a temporary site access (temporary in this case meaning for less than one year) would need to be licensed by the highway authority. The permanent access junction, and any temporary access required for longer than a year, would require the applicant to enter in to a full S278 agreement.

7.15 A number of detailed design comments on highway and parking matters raised by the highways authority, not related directly to access, which have been included in the submitted 'outline application' documentation, are to be noted/addressed at reserved matters stage. These are noted below for reference:

- For the new estate roads to be adopted by the local highway authority they would need to meet the layout geometry and other criteria outlined in the Suffolk Design Guide for Residential Areas and comply the construction standards required by the Suffolk Specification for Estate Roads. As this is an outline application (with only approval for 'access' sought at this stage) it is not clear from the limited information supplied whether such criteria and standards could be met by the internal estate roads as currently proposed.
- Estate roads serving more than twenty-five dwellings are expected to be of minimum 5.5 metre carriageway width and have minimum 2.0m width footways to both sides. As the proposed western estate road junction meets this layout criteria, the bellmouth of this junction should therefore be adoptable by Suffolk County Council if constructed to the specification standards.
- The combination of footway connection extension and visibility splay protection leads to a required extent of frontage footway (yellow) stretching from the driveway of 38 School Road to the driveway of 24 School Road, all located within of the existing highway maintainable at public expense (green).
- There is an existing drainage ditch to the School Road frontage of the site. The forming of the new estate road junction, the new 24 space car park pedestrian access, and the temporary site/permanent agricultural access will require an Ordinary Watercourse Consent from the relevant authority, most likely to be Suffolk County Council as Lead Local Flood Authority (LLFA), before any piping of the ditch can take place.
- There is at least one existing frontage field access to be stopped up. It is expected that this will allow the reopening of the ditch over the affected length. Again, this would need to be covered by the Ordinary Watercourse Consent.
- Highway surface water run-off, from the existing School Road highway carriageway, currently drains into the frontage ditch by means of verge grips. To retain highway surface water drainage functionality, and if the ditch invert levels allow, new gullies will be required to be installed in front of any new frontage kerbing at suitable

spacings. Likewise, if ditch inverts are too shallow to allow the installation of gullies, then kerb offlets shall be installed instead.

- The S106 Heads of Terms document refers to a dropped kerb pram crossing associated with the pedestrian route between the 24-space car park and the school. It is probable that a second pram crossing, connecting the north side of School Road to the south side, will be required at a location close to, and east of, the new western estate road junction bellmouth. The requirement for such a second pram crossing would be expected to be established, or not, at the reserved matters stage when the design of the frontage footway scheme is detailed, or during the junction/frontage footway S278 agreement process.
- It should be noted that technical and safety assessments / audits, that form part of the S278 and S38 processes, may result in other changes to the layouts and alignments shown on any indicative layout(s) approved by virtue of the planning permission.
- It is likely that such S278 technical and safety assessment processes will include assessing whether amendments will need to be made to the school bus, keep clear and wig wag markings to best accommodate the new pedestrian crossing movements.

7.16 Detail at reserved matters stage will need to ensure that the scheme accords with all relevant aspects of the Suffolk Guidance for Parking - Technical Guidance (2019).

Design quality, residential amenity and sustainability

7.17 The submitted site plan shows how the scheme could be laid out and is assumed (as stated within the submission) to comprise entirely of two storey houses with pitched roofs. This raises concerns both with the local planning authority and Ringsfield Parish Council - it is important that the height of any development reflects that of the existing street scene and wider village context, particularly given the prominence of single storey dwellings along School Road. This will be a key consideration at reserved matters stage where details of the scale of the dwellings will be provided.

7.18 Most significantly, there are shared concerns in terms housing density as the proposal does not fully incorporate the entirety of the allocated site – the allocated site area comprises approximately 2.56 hectares whilst the indicated red line associated with this application covers approximately 1.86 hectares of the southern extent. This raises the possible notion of future development on the remain 0.7 hectares, and also constrains the site within a smaller area hindering the ability to meet the density requirements as set out under the allocation policy (WLP7.14). On the potential for future development, that is not a part of the application so that possibility cannot inform the decision on this application.

7.19 As noted by Policy WLP8.32 (Housing Density and Design), proposals for residential development will be permitted provided that the development makes best use of the site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and its surroundings. This will be a key consideration at reserved matters stage and future layouts should align

with the density of approximately 20 dwellings per hectare - as outlined under the site allocation policy. However the future design will also require specific design considerations resulting from the layout, scale and appearance along with land use influences such as the amount of space required for SUDS. The concerns raised with regard to density by the Ringsfield Parish Council and third-party objections is shared by the local authority, however, the description of development sets an upper limit for 'up to 33 dwellings' rather than a fixed quantum – as such, it is anticipated that a reserved matters scheme would need to comprise fewer dwellings in order to meet other policy objectives and it is not a given that the site would in fact support such a number based on constraints known to affect the layout.

7.20 This concern was raised with the applicant, their response is summarised below:

- The proposed application site provides a 33 dwelling scheme at a density of 18 dwellings per hectare, with an oversupply of open space compared with the Council's SPD requirement (2442m² against a 1749m² requirement is +40%). This density calculation excludes the area of land set aside for car parking and the drainage basin. The dwelling and density figure is therefore in accordance with the site policy requirement for approximately 30 dwellings at a density of 20 dwellings per hectare.
- Including the rear part of the allocation would reduce the density of the site to 13 dwellings per hectare.
- The rear area of land does not assist with the drainage solution for the site given the ground levels in some areas of the site are below the level of the ditch and culvert meaning a pumped drainage solution is necessary according to the latest site investigation.
- The first draft Local Plan included the allocation site as being suitable for approximately 40 dwellings at a specified density of 15dph. Following local concerns regarding traffic impact and impact on services, facilities in the village, the allocation was reduced to approximately 30 dwellings per hectare at a density of 20dph. However, the allocation site area remained the same size which would appear to have been a mistake given less houses were then proposed at a higher density than the originally worded draft allocation for 40. No reason is given within the policy or supporting text for why such a large site would be required for approximately 30 dwellings.
- The applicants do not currently have any intentions for the land to the rear. It is likely to be retained for grazing and there are no plans for a 'second phase' at this time.
- It should be noted that this is purely an illustrative plan showing one way in which the site could be laid out. The illustrative layout (attached) demonstrates that up to 33 dwellings can be achieved on the site whilst creating an appropriately rural character that is in keeping with surrounding development in Ringsfield. The illustrative site plan shows properties set back from the road with private driveways, overlooking two central areas of open space, and a row of detached houses overlooking the visitor parking and open space at the front of the site, along School Road. The open spaces within the site create long open green views

between properties which contributes to the rural character. There is, however, nothing requiring the site to be developed in this way at reserved matters stage unless the LPA decide to condition a requirement that the future layout should be generally in accordance with this plan.

- 7.21 The number of proposed dwellings, their indicative layout and orientation should help to maintain views to the countryside for those properties opposite the site. Within this rural setting, street facing residential units are deemed appropriate for quieter streets, with sufficient setbacks and screening as to provide appropriate levels of privacy for residents. The housing fronting School Road is set back from the street for the provision of a car park to serve the school, with proposed screening to limit the overall sense of dominance. The retention and planting of new hedging will provide important screening, acting as a means to mitigate any visual and landscape impacts of the development. Views of the site from School Road will be seen against the existing residential backdrop - greater consideration is needed with regard to the level of density, height, materials and screening when viewing the site from the Bridleway, which runs north/south along western boundary. The buildings should be designed to contribute positively to the amenity of the street whilst providing added activity and interest to the public realm, both along School Road and within the site.
- 7.22 The scheme would need to ensure that it is of a high design quality to fully accord with Policy WLP8.29 (Design) and Policy WLP8.30 (Design of Open Spaces), as well as allowing for a scheme that promotes a high level of residential amenity. Furthermore, as indicated by Policy WLP8.31 (Lifetime Design), all new housing developments on sites of 10 or more dwellings must make provision for 40 per cent of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above. Such detailed design matters are to be addressed fully at upon submission of the reserved matters application - a condition of consent will apply accordingly requiring the submission of architectural detail and a design and access statement.
- 7.23 The detail relating to the landscaped car park of 24 spaces opposite the primary school, as well as the extension of the footway on the north side of School Road to connect the site to the existing development, should have ideally been considered within the outline application. This is to ensure that these particular aspects of the proposed layout are deemed suitable in terms of accessibility, safety and suitability for the school use. Although the delivery of these aspects are to be secured by way of a S106 legal agreement, expanded detail to demonstrate this policy requirement and benefit of the scheme is essential for its consideration. A condition is therefore required to ensure this level of detail is obtained, which will also request management/maintenance arrangement for the parking area that will serve the needs of the school. With such a planning condition applied then this matter is considered to be satisfactorily addressed in order to fulfil this particular objective of Policy WLP7.14.
- 7.24 In respect of all means of access, it is considered necessary to integrate the site with the adjacent right of way network and therefore a bridleway access point should be provided on the western edge in order to secure a connection at that point in any potential outline permission. This is to be secured by condition and integrated within

design details during the reserved matters stage.

- 7.25 Details in respect of layout for the area encompassing the school parking, its full area of vehicular and pedestrian access and surrounding landscaped and drainage space will need to be addressed at the reserved matters stage. It is unfortunate that the layout plan has been submitted to a standard suitable to fully consider the layout of the development, yet not described on the plan as illustrative. It is acknowledged that this has caused some confusion in public responses – however, it must be emphasised that the plan is only illustrative – the approval of the outline application does not permit the layout or density of housing stipulated.
- 7.26 Detail should also be submitted by way of a Sustainability Statement to address the requirements outlined under Policy WLP8.28 (Sustainable Construction).

Housing mix and affordable housing provision

- 7.27 As guided by Policy WLP8.1 (Housing Mix) the mix of sizes and types of units on any particular site should be based on evidence of local needs including the Strategic Housing Market Assessment and in consultation with the local planning authority. Proposals for new residential developments will only be permitted where at least 35 per cent of new dwellings on the site are one or two-bedroom properties, unless this can be satisfactorily demonstrated to be unfeasible. The submitted Planning, Design and Access Statement (by LanPro dated February 2020) references such requirements and notes that a mix of two, three and four bedroom units to meet local needs identified within the Council's Strategic Housing Market Assessment is assumed in the layout. However, final details of the unit types and sizes is reserved for future determination. Any reserved matters application will need to comply with the relevant policy on housing mix.
- 7.28 With regard to Policy WLP8.2 (Affordable Housing), the proposal must provide 30 per cent affordable housing. Affordable housing provision will be secured by a Section 106 legal agreement, ensuring that the provision is policy compliant. However, it is noted that the applicant proposes to meet such policy requirements – a welcomed benefit of the scheme. Quantitative specifics will be determined by the agreed density figures, which are subject to consideration at reserved matters stage.

Landscaping

- 7.29 The submitted Tree Survey (by Oakfield Arboricultural Services, reference OAS 19-143-TSS01) shows that two sections of roadside hedge need to be removed, one for the main access and one for the farm access, which also requires the removal of a small Category (BS5837) oak tree. It is proposed that this removal can be mitigated with new site frontage tree planting on at least a three for one basis (more than this are indicated). However, there is no indication of replacement hedge planting along the site frontage - it is therefore suggested that such new planting be included in any detailed landscape planting proposals required as a condition of any planning consent (note: the new hedge would need to be set back behind the required visibility splays). In other respects, there is an encouraging level of indicated tree and hedge planting, although the final details of this will still need to be sought.

- 7.30 Another key issue that the Tree Survey identifies is the proximity of dwellings to the offsite woodland in the north eastern sector of the site. The woodland will create a degree of early morning summer shade, although this should not last long, and the corner plot will be the one that is most affected. The other potential consequence of this proximity is the perceived risk from living so close to mature trees and it would be regrettable if in the future the woodland was eroded because of a change in risk assessment caused by the change from pasture to residential land use on the adjacent land.
- 7.31 Overall, there are no objections to the proposed development in relation to arboriculture and landscaping, and the level of indicated open green space is welcomed - final landscape details and the future maintenance/management of opens spaces are to be secured by condition to ensure that the scheme is in accordance with respective policies and would not result in adverse effects to existing landscape features or its wider context with respect to visual amenity. With these condition(s), the proposed development accords with the objectives of Policy WLP8.35 (Landscape Character).

Flood risk

- 7.32 Suffolk County Council as the Lead Local Flood Authority have reviewed the following submitted documents and recommend approval of this application subject to conditions relating to surface water drainage.
- Flood Risk Assessment and Drainage Strategy (Ref: 191251 Rev. 2 - by Rossi Long, dated 26 February 2020).
 - Proposed Site Layout, 1520A-00-003 (by Proworks, dated December 2019).
 - Planning, Design and Access Statement (by Lanpro, dated February 2020).
 - Drainage Investigation Summary EK/SJB/191251 (by Rossi Long, dated 09 July 2020).
 - Surface Water Drainage Note (by Rossi Long, dated 27 August 2020).
 - Surface Water Drainage Note (by Rossi Long, dated 12 November 2020).
- 7.33 It is noted that a 71mm diameter orifice has been proposed downstream of the proposed basin - it should be ensured that Anglian Water are satisfied with this if they are to adopt the surface water drainage system. At detailed design stage, it may be necessary to implement measures within the proposed open sustainable urban drainage features, which will offer protection from debris/silt congregation. Additionally, Swale 4 appears to cover a section of the permeable paving - this should be amended in any design revision.
- 7.34 Further matters were raised by Essex and Suffolk Water stating that their records show that they do not have any apparatus located in the proposed development and raise no objection to the development subject to compliance with our requirements - a proposed condition that a water connection for the new dwellings is made onto the Essex and Suffolk Water network for revenue purposes sits outside the planning process remit and will not be applied in this instance.
- 7.35 Overall, there are no objections to the outline proposal subject to a number of

conditions that seek to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development; ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater; ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage; and ensure that a sustainable drainage system has been implemented as permitted and that all flood risk assets and their owners are recorded onto the Lead Local Flood Authority's statutory flood risk asset register as per Section 21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk. With these conditions, the proposed development is in accordance with the objectives of Policy WLP8.24 (Flood Risk). As noted in the design section, the current illustrative layout does result in swales and basins which dominate the open spaces and the basin in particular would sit uncomfortably close to the driveway serving surrounding dwellings. This will undoubtedly affect the eventual design coming forward and it will be design influence which could cause the number of dwellings to reduce below the 33 limit proposed.

Ecology

- 7.36 The ecological survey reports (Ecology Assessment report, Hopkins Ecology, February 2020 and Shadow Habitats Regulations Assessment report, Hopkins Ecology, February 2020) have been provided and reviewed by an East Suffolk Council ecologist, with no objections raised. Whilst the proposed development would result in the loss of a small amount of the southern boundary hedgerow to create vehicle and pedestrian access points, this can be compensated through planting along the northern boundary of the site. The local planning authority is in agreement with the conclusions of the reporting, subject to the mitigation and enhancement measures identified in the reports being implemented and secured by way of condition.
- 7.37 Although undesignated, the John John's Wood – located to the northeast of the site - provides an important habitat in this part of the village and whilst the principle of residential development on the site is established through allocation in the local plan, it must be ensured that the wood is suitably protected from development. This should include an adequate buffer between any new development and the woodland edge and final design of the development preventing unauthorised public access into the wood. This could be achieved through a well-designed landscaping plan as part of the final design of the site (secured by condition on the outline should permission be granted).
- 7.38 With regard to great crested newts, whilst the surveys undertaken as part of this application did not record this species as being present (and there is no reason to doubt these results), Suffolk Biodiversity Information Service (SBIS) do hold a recent (2019) great crested newt record from south of the application site. It appears that this was submitted after the ecological consultant undertook the data search as it does not seem to appear there.
- 7.39 The northern part of the field, which is within the boundary of the allocated site, is not proposed for development and offers the opportunity to create an area of grassland and scrub which would link John John's Wood (and the pond there) in the east to the pond and hedgerow in the west. This would create additional local habitat for a range of species, including great crested newts. It is strongly recommended that this is acknowledged in detailed design proposals.

- 7.40 The application site is located within 13km of a designated European Site. The Suffolk Recreation Avoidance Mitigation Strategy ("Suffolk Coast RAMS") identifies that new housing development within a 13km zone of influence ("ZOI") of any designated European site in Suffolk will have a likely significant effect on the interest features of those sites through increased recreational pressure, both alone and in-combination with other housing in the ZOI. To mitigate this, a per-dwelling financial contribution is required to fund the Suffolk RAMS (upon submission of an application) to ensure the scheme is in accordance with the objectives of Policy WLP8.34 (Biodiversity and Geodiversity) of the East Suffolk Council - Waveney Local Plan (2019), which seeks to protect designated sites in accordance with The Conservation of Habitats and Species Regulations (2017). The financial contribution is to be secured by a planning obligation - this provision will be delivered via an agreed Section 106 (S106) agreement.

Archaeology

- 7.41 The site of the proposed development has high potential for the discovery of important hitherto unknown heritage assets of archaeological interest in view of its large size and location close to a number of sites recorded in the County Historic Environment Record (HER). This includes a finds scatter of Roman pottery and tile (HER ref BUC 014) and large cropmark complexes which include enclosures and ring ditches (BUC015 and 075), indicative of both settlement and funerary activity in this area. Surrounding the site, numerous other cropmark sites and multi-period finds scatters have been recorded.
- 7.42 An archaeological trial trench evaluation has been conducted - Suffolk County Council Archaeological Service were still awaiting the draft report of results at the time of submitting their response. However, it is stipulated that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199) and local plan Policy WLP8.40 – (Archaeology), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 7.43 Conditions will apply to any consent requesting a Written Scheme of Investigation along with a site investigation and post investigation assessment to ensure the safeguarding of archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. With these conditions, the proposal will accord with Policy WLP8.40 (Archaeology).

Contaminated land

- 7.44 The Phase One report submitted with the application has identified several potential on and off-site sources of contamination and has recommended that an intrusive investigation is carried out. An East Suffolk Council environmental protection officer concurs with this conclusion and notes that the site should not be developed until contamination has been adequately investigated and characterised. A construction management plan is also required to minimise disturbance to nearby residences form

the construction of the development. Such requirements will be secured by conditions.

Infrastructure provision

- 7.45 Infrastructure requirements needed to support and service the proposed development must be considered in the proposed development, with the expectation that the scheme contributes towards infrastructure provision to meet the needs generated. Off-site infrastructure will generally be funded by the Community Infrastructure Levy, and on-site infrastructure will generally be secured and funded through Section 106 planning obligations.
- 7.46 The development will be expected to contribute to the delivery and enhancement of infrastructure that encourages active lifestyles and healthy communities. Open space should be provided on new residential development sites to contribute to the provision of open space and recreational facilities to meet identified needs, in accordance with Policy WLP8.30 (Design of Open Spaces). National standards recommended by Fields in Trust promotes a requirement for 2.4 hectares of open space (play areas and playing fields) per 1,000 people which enables residents of all ages to participate in sport and play.
- 7.47 With regard to existing play equipment, Ringsfield has an equipped play space located off Church Road - which is approximately 0.3 miles (10 minute) walk from the entrance of the subject site. It is noted within the Waveney Open Space Needs Assessment (2015), that the play space adjacent to the village hall in Ringsfield could be improved to complement existing facilities on site.
- 7.48 Fire hydrant requirement will be covered by appropriate planning conditions. Suffolk County Council strongly recommends the installation of automatic fire sprinklers and The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting which will allow SCC to make final consultations at the reserved matters stage.

Community Infrastructure Levy (CIL)

- 7.49 The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act (2008) and the CIL Regulations (2010) (as amended).
- 7.50 The proposed development does not appear to be phased therefore the CIL Regulations 2010 (as amended) states that for CIL purposes planning permission first permits development on the date of the final approval of the last reserved matter associated with the permission. As such, the CIL charge will be calculated following approval of the last reserved matter associated with the outline permission. The development would generate Neighbourhood CIL which is 15% of CIL received and transferred to the Parish Council. This is a local economic benefit to support delivery of local infrastructure projects. This may include projects such as refurbishment of the village hall which is recognised as essential in the Infrastructure Funding Statement.
- 7.51 Summary of other infrastructure requirements which could be secured by CIL for this

development include the following:

- Education (primary, secondary and sixth form);
- Early years improvements;
- Libraries improvement and stock; and
- Waste infrastructure.

8 Conclusion

- 8.1 The site is allocated within the Waveney Local Plan (Policy WLP7.14) as a sustainable location for the development of approximately 30 dwellings. As such, the outline proposal for the construction of up to 33 dwellings as well as open space, landscaping, visitor car parking and site access from School Road is deemed acceptable in principle subject to accordance with all respective policies.
- 8.2 Despite concerns relating to the proposed layout and density of the proposal, which are exacerbated by the condensed site area, only the means of access, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site, is being considered within the outline application. As such, details relating to appearance, landscaping, layout and scale will be agreed at a later stage under a "reserved matters" application - along with further aesthetical detail and sustainability requirements. Granting outline for an 'up to' position does not prohibit the Council requiring a lower number of homes if required to achieve good design appropriate for its location at reserved matters stage. It may be that the now established drainage requirements and a potential desire for a mix of single and two storey homes could affect that. It is regrettable that the full allocation site area has not been utilised for this application, but the Council is not in a position to require the larger site area to be proposed.
- 8.3 Matters raised at this stage relating to highways, flooding, ecology, landscape and environmental protection can be sufficiently mitigated, methods of which are to be secured by way of condition. Whilst any impacts upon facilities and public services can be mitigated through Community Infrastructure Levy finance.
- 8.4 Overall, despite the concerns outlined within the report – which, on balance, are deemed capable of being addressed during the reserved matters stage - the delivery of up to 33 homes (including policy compliant affordable housing provision) is considered to be policy compliant. It will achieve the strategic outcomes that the allocation seeks to attain, contributing to the provision for housing delivery within the district (as outlined by Policy WLP1.1), whilst providing the addition of much needed car parking for the primary school. Any harm that may arise is considered to be limited and outweighed.
- 8.5 Subject to the imposition of the conditions set out below and the signing of a S106 regarding affordable housing, habitat mitigation, monitoring fee and highways requirements, the development is considered sustainable and in compliance with the local plan and national planning policy.

9 Recommendation

9.1 Recommended for approval subject to conditions and completion of a Section 106 legal agreement to secure:

- Affordable housing;
- Secured school car parking area and management arrangements
- RAMS contribution;
- Monitoring fee; and
- Highways requirements.

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

2. This permission is an outline planning permission issued in accordance with the Town and Country Planning (General Development Procedure Order (2010)) and before work on the development is begun, approval of the details of the following, herein called the "reserved matters", shall be obtained from the local planning authority:

- Design principles and concepts that protects/enhances reflects local distinctiveness (Design and Access Statement);
- The quantity, type, layout and density of buildings within the proposed development;
- The precise height, width and length of individual buildings;
- The appearance of buildings (including proposed materials);
- An accommodation schedule documenting how the lifetime design standards have been met;
- Access to and within the site for vehicles, cycles and pedestrians (including wider connectivity to the existing PROW network); and
- Landscape and open space design proposals including the incorporation of any play provision and surface water drainage requirements, in accordance with details approved in the outline consent.

Reason: As provided for in the Town and Country Planning (General Development Procedure Order (2010)) no such details having been given in the application.

3. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;

- b. Modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Qbar or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- c. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- d. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- e. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- f. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
- g. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

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

4. Within 28 days of completion of the last dwelling/building become erected 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.

5. Concurrent with the first reserved matters access application details of the highways scheme to provide the:
 - New eastern 'temporary site/permanent agricultural' vehicular access;
 - Stopping up of the existing field access(es);
 - New 2.0m wide frontage footway extending to join the existing paved vehicular crossings of no. 38 School Road to the west and no. 24 to the east;
 - New dropped kerb pram crossing and pedestrian access to the 24 space 'school' car park; and
 - New western permanent 'estate road' access junction.

As shown indicatively on drawing C-100 Rev P2.

The approved scheme shall be laid out and constructed in its entirety prior to occupation of any dwelling.

Reason: To ensure that the new junction, access and improvements scheme is designed and constructed to an appropriate specification. The frontage footway and dropped kerb pedestrian access to 24 space car park, are required by local plan Policy WLP7.14. The extent of frontage footway also protects visibility splays to estate road junction and site/agricultural access.

6. Before the new western estate road junction and new eastern vehicular access are first used, clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access points (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 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 accesses 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.

7. The temporary site access, as shown indicatively on drawing C-100 Rev P2, must be formed, inclusive of cleared land within the sight splays, prior to any other works commencing or delivery of any other materials.

Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence. and to facilitate off street parking for site workers in the interests of highway safety.

8. Concurrent with the first reserved matters application(s), details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

9. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority - [the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under S38 of the Highways Act 1980 or a private management and maintenance company has been established].

Reason: To ensure the continued management and maintenance of estate streets for public safety.

10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the local planning authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

11. Concurrent with the first reserved matters application(s), 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.

12. Concurrent with the first reserved matters application(s), details of the areas to be provided for the [loading, unloading,] manoeuvring and parking of vehicles including electric vehicle charging points, powered two wheeled vehicle provision and secure covered cycle storage shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of highway safety and to encourage the use of sustainable transport. To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking where on-street parking and manoeuvring could be detrimental to highway safety.

13. Before the development is commenced details shall be submitted to and approved in writing by the local planning authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the prior to occupation of any dwelling and shall be retained thereafter in its approved form.

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

14. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment report (Hopkins Ecology, February 2020).

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

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

Reason: To ensure that nesting birds are protected.

16. Concurrent with the first reserved matters application(s), a "lighting design strategy for biodiversity" for the site 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. 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.

17. Concurrent with the first reserved matters application(s), details of the new hedgerow planning on the northern boundary of the site will be submitted to and approved in writing by the local planning authority.

Reason: To ensure that new planting adequately compensates for hedgerow to be lost as part of the development.

18. Concurrent with the first reserved matters application(s) an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered in accordance with the approved strategy.

Reason: To ensure that the development delivers ecological enhancements.

19. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority.

The scheme of investigation shall include an assessment of significance and research questions and:

- a. The programme and methodology of site investigation and recording;
- b. The programme for post investigation assessment;
- c. Provision to be made for analysis of the site investigation and recording;
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- e. Provision to be made for archive deposition of the analysis and records of the site investigation;
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation; and
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the local planning authority.

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

20. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the local planning authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 19 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

21. No development shall commence until there has been a management plan for maintenance of the access drive, the associated landscaped areas and the open space adjacent to the turning head, submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

22. Concurrent with the first reserved matters application(s), precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

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

23. The approved landscaping scheme, as agreed under Condition 23, shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

24. 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:

25. An intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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

26. 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.

27. Prior to any occupation or use of the approved development the RMS approved under Condition 26 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.

28. A validation report must be submitted to and approved in writing by the local planning authority prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- Results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - Evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
 - Evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. 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 LPA. 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 LPA. 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 LPA 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.

30. A Construction Management Plan shall be submitted to, and approved by, the local planning authority prior to the commencement of development. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties and should at the minimum follow guidance contained within:
- BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites Part 1: Noise and Part 2: Vibration; and
 - Institute of Air Quality Management, Guidance on the assessment of dust from demolition and construction Version 1.1

and should also set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter, the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise/air quality pollution and additional vehicular movements in this area during the construction phase of the development.

31. Concurrent with the first reserved matters application(s), details of a bridleway access point along on the western edge shall be submitted to and approved in writing by the local planning authority. The approved bridleway access point shall be completed and made available for use prior to occupation of the dwellings.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

32. Concurrent with the first reserved matters application(s), a sustainability statement shall be submitted to and approved in writing by the local planning authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so. Development shall be undertaken in accordance with the approved statement, unless otherwise approved in writing by the local planning authority.

Reason: To ensure a sustainable standard of design interest of addressing climate change to secure sustainable development.

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 (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.
3. HIGHWAY WORKS: SECTION 278 AGREEMENT It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
4. The proposal will require the piping of a ditch. As the proposal requires work affecting an ordinary watercourse, including a ditch, whether temporary or permanent, then consent will be required from Suffolk County Councils' Flood and Water Management team. Application forms are available from the SCC website: <http://www.suffolk.gov.uk/environment-and->

transport/planning-and-buildings/land-drainage. Applications for consent may take up to 8 weeks to determine and will incur an additional fee.

5. The local planning authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.
6. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street.

You should contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.

7. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>
8. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that may be necessary to comply with Building Regulations (2010) must also be approved in writing by the local planning authority in order that any planning implications arising from those amendments may be properly considered.
9. The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act (2008) and the CIL Regulations (2010) (as amended).

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>

10. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant conditions(s) you will not be able to implement the planning permission and your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before

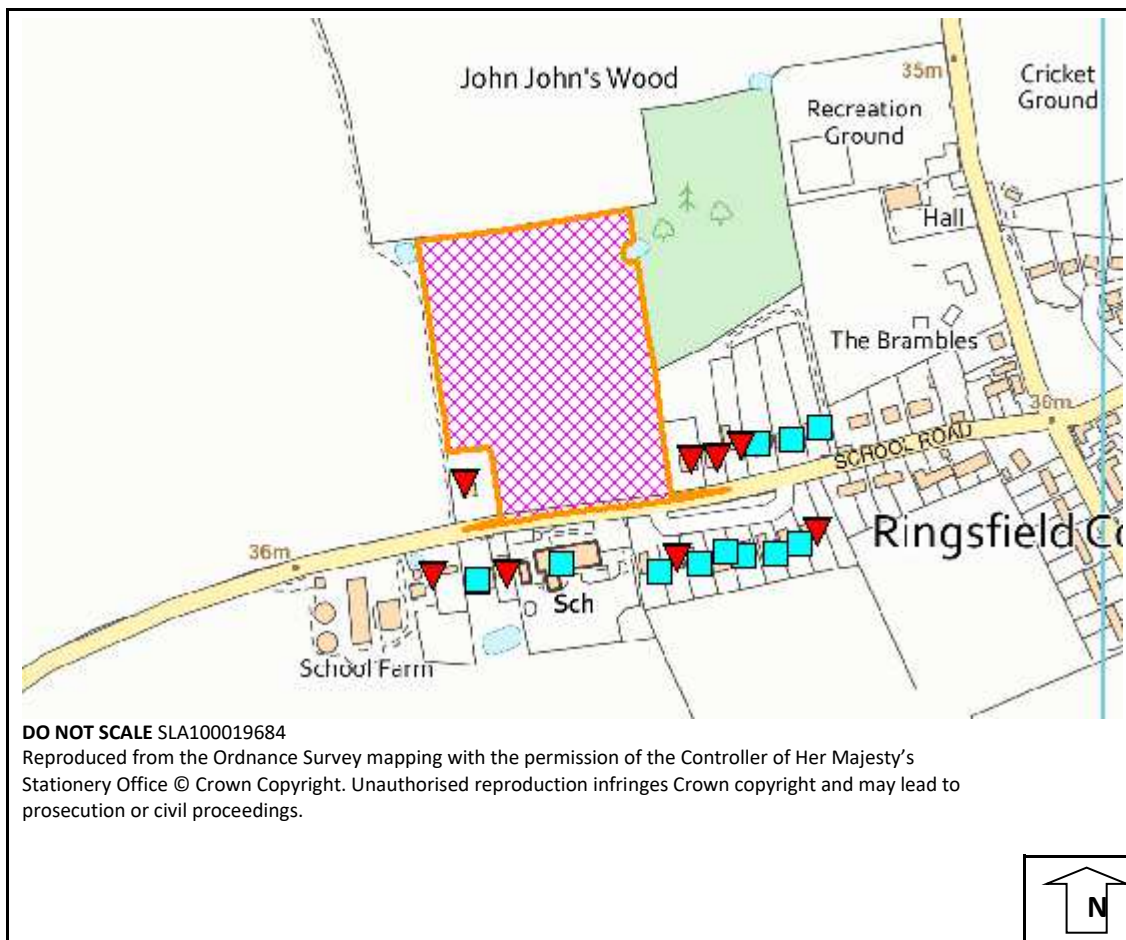
development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.

11. This consent is also the subject of a Section 106 Legal Agreement which must be adhered to.





Background information

See application reference DC/20/1001/OUT on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 22 February 2021

Application no DC/20/1395/FUL

Location

44 Gorleston Road
Lowestoft
Suffolk
NR32 3AQ

Expiry date 20 July 2020

Application type Full Application

Applicant Country Retirement and Nursing Homes Ltd

Parish Oulton Broad

Proposal Demolition of existing care home and adjacent dwelling house to form one larger site with a new build care home with associated amenity gardens and on site parking facilities.

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the demolition of the existing care home (no.44) and adjacent dwelling (no.42), and the construction of a two storey 26 bed care home facility. The proposal is considered to have an acceptable impact on the character and appearance of the street scene and would have minor impacts on the amenity of neighbouring residents. Furthermore, the scheme is not considered to have an unacceptable impact on highway safety or increase the risk of flooding in the area. The construction of the care home will also provide much needed additional care home bed spaces as identified in the local plan in a highly suitable location. It is therefore concluded that on balance the positives of the proposal outweigh the minor negatives and as such it is recommended that planning permission be granted.
- 1.2. The Parish Council have objected to the application, and therefore due to the contrary officer recommendation the application was referred to the referral panel. At referral

panel on the 12th of January, it was decided that it was in the public interest for the application to be referred to committee due to the level of representation received.

2. Site description

- 2.1 The site is located within the settlement boundary for Lowestoft and comprises of a detached single storey 8 bed care home (no.44), which is operated alongside the "sister" home facility, Lilac Lodge, directly opposite at Nos 9-11 Gorleston Road. The red line also includes a one and a half storey dwelling (no.42), with a detached outbuilding along the southern boundary.
- 2.2 The properties are set within a mainly residential area, front onto Gorleston Road to the east, and are bounded by residential properties to the north, south and west. Located approximately 250m or a 5 min walk from the site is Oulton Broad North station, and there are also several bus stops within the vicinity of the application site.
- 2.3 The site totals a combined 0.7acres (0.28 hectares) and is predominantly gardens associated with the care home and adjacent dwelling.
- 2.4. The site is not located within any special designated areas, and the nearest listed building is approximately 220m (as the crow flies) south-west of the application site

3. Proposal

- 3.1 Planning permission is sought for the demolition of the existing care home and adjacent dwelling, and construction of a two-storey care home facility. The care home has been designed in a 'u' shape with a central garden area, grounds to the rear and parking and entrance area to the front. The building is split between single and two stories, with the two storey elements predominantly along the front and partially towards the northern boundary, with single storey along the rear projection. The proposed care home would have a footprint of approximately 1025sqm.
- 3.2 The care home will include:
 - 26 bedrooms with en-suites
 - Lounges and day room
 - Dining room, cafe, and kitchen
 - Managers office, nurse stations, staff room and admin office
 - Salon
 - Stores, plant room, and laundry room
 - Outside amenity space, and 11 on-site parking spaces
- 3.3 During the course of the application revised plans have been received and consulted upon. These amendments included a redesign of the site layout, size of the facility and design in order to reduce the impacts on the amenity of neighbouring residents and satisfy highway safety concerns.

4. Consultations/comments

- 4.1 22 objections have been received raising the following concerns:

- Overdevelopment of site,
- Out of character with the area,
- Impact on highways,
- Impact on existing sewage system,
- Set a precedent for other development on the road,
- Permission has previously been refused on the site,
- Impact on amenity due to loss of light and privacy, and increased noise.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	21 April 2020	11 May 2020
<i>"Oulton Broad Planning Committee made virtual comments and would like the following comment. We can understand the need for this building, but we are concerned over the neighbour's very strong objections, this is from an existing bungalow to a very large two-storey building that extends all the way down the boundary. Therefore we would like to recommend Objection"</i>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	21 April 2020	6 May 2020
Summary of comments: Objection raised regarding lack of parking and on-site manoeuvring space, and issues regarding access.		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	22 April 2020	24 April 2020
Summary of comments: Holding objection raised due to lack of information		

Non statutory consultees

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	N/A	4 May 2020
Summary of comments: No objections to application but several recommendations to applicant		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	21 April 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	21 April 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Head of Environmental Services	21 April 2020	27 April 2020
Summary of comments: Objections raised regarding contaminated land, noise, odour, light, and demolition and construction method.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	10 November 2020	10 December 2020
<i>"Recommend Objection due to the following: Completely wrong, over development, access issue, have to listen to our local people who are objecting. OBPC have objected 3 times on this planning application."</i>		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	10 November 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Head of Environmental Services	10 November 2020	11 December 2020
Summary of comments: Following amendments, no objections raised subject to several conditions		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	10 November 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	10 November 2020	27 November 2020
Summary of comments: Following additional information, no objections raised subject to conditions		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	10 November 2020	18 November 2020
Summary of comments: Following additional amendments, no objections raised subject to conditions		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	10 November 2020	No response
Summary of comments: No comments received		

5. Publicity

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

Category	Published	Expiry	Publication
Major Application	1 May 2020	26 May 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	1 May 2020	26 May 2020	Lowestoft Journal

6. Planning policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." This is reflected in paragraph 12 of the

NPPF which affirms the statutory status of the development plan as the starting point for decision-making.

- 6.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed below:

East Suffolk Council - Waveney Local Plan (March 2019) - policies

- WLP1.1 - Scale and Location of Growth
- WLP1.2 - Settlement Boundaries
- WLP8.1 - Housing Mix
- WLP8.21 - Sustainable Transport
- WLP8.28 - Sustainable Construction
- WLP8.29 - Design
- WLP8.31 - Lifetime Design

- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.

7. **Planning considerations**

Principle

- 7.1 The Policy WLP1.1 allocates 56% of the housing growth across the Waveney Local Plan area to Lowestoft. The application site is located in a primarily residential area of central Lowestoft within the settlement boundary as defined by Policy WLP1.2.
- 7.2 The Strategic Housing Market Assessment identifies the need for different types of housing including a need for an 905 additional spaces in care homes and nursing homes over the plan period. Policy WLP8.1 states the type and mix of housing should be based on evidence of local needs including the Strategic Housing Market Assessment. The proposal provides an additional 18 care home spaces contributing towards the need identified in the Strategic Housing Market Assessment.
- 7.3 Furthermore, section 8 of the NPPF sets out that planning decisions should aim to achieve healthy, inclusive and safe places, which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.
- 7.4 The site lies along Gorleston Road which is a residential road with pavements and cycle lanes on each side of the road, served with bus routes and stops, and also in close proximity to a train station. The application site is well served by local amenities including a doctors surgery with a pharmacy, petrol station, various shops and restaurants on Bridge Road, and post office and newsagents on Hall Road. This should ensure that residents of the proposed care home remain integrated into the local community, given the level of local facilities.
- 7.5 It is therefore considered given the identified need in the strategic housing market assessment and the sustainable and well-situated position of the site that the proposed principle of a care home is acceptable.

Character and appearance

- 7.6 Policy WLP8.29 sets out the design aspirations for new development. The surrounding area is characterised by a mixture of architectural designs and scales. To the west and south of the site are an array of bungalows, to the north are two storey dwellings, and on the opposite side of the road is a two-storey care home.
- 7.7 The proposed care home has been designed with a contemporary appearance, in a 'U' shaped design to maximise the available space on the site whilst ensuring sufficient sized landscaped areas. The proposed care home proposes a mixture of materials including red brick, grey slate roof tiles, timber cladding, and aluminium doors and windows. The overall palette of materials is considered to be high quality and takes inspiration from materials used in the wider surrounding area. However, to ensure the materials used are high quality a condition is proposed for details to be provided.
- 7.8 It is acknowledged that the proposed care facility would represent a departure from the more traditional vernacular of the street scene in the immediate area. However, the proposed building has been designed with a fractured front elevation and a mixed palette of materials. This is considered to reduce the visual bulk whilst mirroring the height of adjacent properties to the north. Furthermore, given the positioning of the proposed care home and surrounding properties it is considered that the portions of the care home would not be widely visible from the wider street scene. Thereby limiting the visual appearance of the care home on the street scene. As such in this instance the building is not considered to appear at odds or adversely impact on the character and appearance of the area or street scene or appear overly cramped on the site compared to its surroundings.
- 7.9 The proposal would also represent a departure from surroundings in terms of proportion of land taken up by development. However, the proposed care home has been designed to include large garden/landscaped areas to the south and west, with some additional landscaping along the northern boundary and hard landscaped area along the street. In addition, the proposal has been designed to work with the constrained nature of the site. Therefore, given these points and the proposed landscaping and separation distances, it is considered that on balance the proposal would not represent overdevelopment of the application site, that would have resulted in a potentially overly cramped appearance compared to the surroundings.

Amenity

- 7.10 Policy WLP8.29 sets out that proposed development should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.11 The proposal will introduce development along a sizeable portion of the boundary with no.46 (north), this will be split between single and two storey forms of development and set in from the boundary. The distance from the boundary with no.46 will range from approximately 8.4m at the front corner to 6m at the rear most corner, and at its closest the projecting elements will be approximately 3.25m in the front boundary. The closest two storey element to the boundary will be positioned adjacent to the neighbouring garage,

with the majority of the two-storey element set at least 6m in the front boundary. The proposal also includes 4 first floor windows on the north elevation, these serve rooms that already have other openings or rooms where outlook is not as important such as nurse stations and bathrooms. It is proposed that these windows be obscured glazed to protect the amenity of residents to the north, and this would be conditioned to ensure the obscured glazing is retained.

- 7.12 Therefore, given the above, the orientation of the site and the size of the rear garden, it is not considered that the outlook from no.46 would be demonstrably impacted by the proposal. In addition, it is not considered that the proposal would result in any adverse loss of light to no.46 or result in excessive overshadowing of the rear garden. Furthermore, given the obscure glazing it is considered that the proposal would not result in any adverse impacts on the privacy of residents to the north.
- 7.13 The care home faces onto Gorleston Road to the east, with a number of first floor windows, one terrace accessed from the lounge and one balcony from a bedroom. Given that these openings face onto the Gorleston Road, it is not considered that they would adversely impact on the amenity of neighbouring residents from overlooking or loss of privacy.
- 7.14 To the south of the site are a number of single storey dwellings, with the boundaries of no.40 Gorleston Road and St Ives, and Strathallan on Hall Road directly bounding the southern site boundary. The two-storey front elevation section of the care home is in line with the no.40, with the two-storey projecting element set approximately 16m in from the boundary. Given the distance it is not considered that the care home would result in an adverse loss of light to no.40 or the properties on Hall Road. The single storey rear element of the care home will slightly wrap around the rear of the no.40 and be located along part of the boundaries of properties along Hall Road. However, given the separation distance of 21m from the single storey element and no.40 and 25m from the properties of Hall Road, is considered sufficient to not result in any adverse outlook issues.
- 7.15 The proposed care home includes 4 first floor windows that face south and serve rooms such as bathrooms and nursing station. Therefore, in order to protect the amenity of neighbouring residents these windows will be obscured glazed. As such the proposal is considered to not result in any additional overlooking or loss of privacy for properties to the south.
- 7.16 To the east of the site are a number of single storey dwellings that front onto Elmhurst Road. These properties are located approximately 14m from the western boundary of the application site. At the nearest point the single storey element is located approximately 10m from the boundary with the two-storey element located approximately 30m. These distances are considered sufficient that the proposed development would not appear overbearing or adversely impact on outlook. Furthermore, the proposed rear facing windows of the care home will be located approximately 44m from the rear elevations of the properties to the west. This is considered sufficient that the proposal will not result in any overlooking or loss of privacy.
- 7.17 The proposal will also seek to ensure that a 1.8m high close boarded fence is located around the majority of the perimeter of the site. This is considered to ensure that no ground floor windows introduce any overlooking to neighbouring properties.

- 7.18 Finally, it is not considered that the proposal would result in an excessive noise increase to this largely residential area or introduce uncommon noise that would adversely impact on the amenity. The environmental protection team have reviewed the submitted acoustic report which identifies that the development should be acceptable if certain noise control measures are in place. In order to ensure this, it would be necessary to impose a condition that identifies all potential noise sources and provide suitable details. It is therefore concluded that whilst some amenity impacts will occur it is not considered that it would be to a demonstrable degree that would adversely impact on the enjoyment of neighbouring residential properties.
- 7.19 Due to the relatively close proximity of neighbouring residents and the potential for impact from noise and other amenity issues during the demolition and construction phases, it is considered necessary to impose a condition that prior to commencement full demolition and construction details are provided, and details on how the impact on amenity to local residents will be limited.

Highways

- 7.20 It is considered by officers that the site is located within a highly sustainable location in proximity of several services including doctors, pharmacies and shop, and transport links including bus and trains. Given these points the need for vehicles visiting the site will be reduced due to the ease of visiting and accessibility of the site. In addition, the proposal includes a covered cycle storage on the southern boundary, thereby providing alternatives to motor vehicles.
- 7.21 SCC Highways initially raised concerns regarding potential highways implications due to parking issues, lack of manoeuvring spaces and use of existing residential accesses. Subsequently the application was amended to reduce the number of rooms to ensure adequate parking provision.
- 7.22 Furthermore, it has been confirmed that deliveries would continue to be made to the existing Lilac Lodge in order to reduce the need for delivery vehicles to maneuver an access on to the highway from the site. SCC Highways have subsequently raised no objections subject to several conditions covering the submission of a delivery management plan, access improvements, and parking and storage details.

Lifetime design

- 7.23 Policy WLP8.31 seeks to ensure that proposals, including care home such as that proposed, demonstrate that the design supports the needs of older people. The proposal includes several ground floor bedrooms, a lift, accessible bathrooms and wide corridors. The design provides legible routes in, through and around the building, and distinctive zones of use. Whilst the 'U' shape design maximises the number of bedrooms with views of, and access into the garden.
- 7.24 WLP8.31 also outlines principles for developments to follow to assist those that live with dementia and other needs. The proposed frontage of the site is considered to create a clear landmark building which faces the junction and that is clearly distinguishable from the others in the area. Also, the main entrance and the entrance to the amenity garden

have been designed to be clearly distinguishable from each other. The design of the amenity garden also includes a clear and legible path to be used by residents as they use the area. Finally, the Design and Access Statement states that the new building will retain its 'homely feel', meaning the building should remain familiar and comfortable for residents. It is therefore deemed that the proposal does provide a building complaint with lifetime design principles and that will ensure a high level of standards for future occupants.

- 7.25 The home has also been designed in accordance with the HAPPI Principles as set out by the Housing our Ageing Population Panel for Innovation. These include measures such as; Space and Flexibility, Daylight, Balconies and outdoor space, Adaptability and 'care ready' design, Positive use of circulation space, Shared facilities and 'hubs', Plants, trees, and the natural environment, Energy efficiency and sustainable design, Storage for belongings and bicycles, and External shared surfaces.

Other matters

- 7.26 The Lead Flood Authority initially raised flooding and drainage concerns for the site. The applications specialists have subsequently been in contact with the LFA and these matters have been addressed, and therefore subject to conditions these matters are now considered to be resolved.
- 7.27 Concerns have also been raised regarding impact on sewage system. However, officers are no evidence that the system is inadequate, and Essex and Suffolk Water have provided no comments on this application.
- 7.28 The proposal also provides internal space within the main building for the storage of refuse bins. This will ensure that the bins are no visible along the street scene.
- 7.29 The nearest listed building is the Grade II Listed building, Nos 24 and 21 Holly Road, Lowestoft, situated approximately 220m south-west of the application site. There are no direct views between the Listed Building and the application site given the existing surrounding development. As such the proposal is considered to have no impacts on the setting of the Grade II Listed building

8. Conclusion

- 8.1 As set out above, it is acknowledged that the proposal does represent a departure from the architectural style and massing of properties in the area and could result in some amenity impairments to neighbouring residents. However, these impacts are not considered to adversely impact on the character and appearance of the area or the enjoyment of neighbouring residents properties. In addition, the proposal will provide an additional 18 much needed care spaces and a total of 26 spaces that will be to modern and suitable standard for future occupiers. It is therefore considered that on balance that the positives just outweigh the negatives and as such permission should be granted.

9. Recommendation

It is recommended that the application be referred to planning committee due to the level of local opposition and the on-balance officer recommendation.

10. Conditions

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with received:
 - Site Location Plan, 19-045-101, received 03/04/2020
 - Proposed site plan, 19-045-110 Rev D, received 11/12/2020
 - Proposed access visibility, 60760/PP/001 Rev B, received 11/12/2020
 - Site Specific Flood Risk Assessment Report, 60760 Rev A, received 11/12/2020
 - Proposed sections through Elmhurst Avenue, 19-045-106, received 09/11/2020
 - Comparison Street Scene Elevations, 19-045-102, received 09/11/2020
 - Ground Floor plan – Proposed, 19-045-120 Rev B, received 09/11/2020
 - First Floor and plant room- Proposed, 19-045-121 Rev B, received 09/11/2020
 - Proposed Elevations, 19-045-150 Rev A, received 09/11/2020
 - Planning noise assessment, RJ6/20284/First Issue, received 09/11/2020
 - Highways Assessment, 60760/DDP/MJD, received 09/11/2020
 - Phase 1 Contaminated Land Assessment, 214821, received 20/04/2020for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. All first-floor windows on the north and south elevations shall be obscured glazed, as shown in drawing 19-045-150, prior to first use of the building, and shall thereafter be retained in there approved form.

Reason: To protect the amenity of neighbouring residents.

5. No development, including any demolition or construction, shall commence until a site-specific Demolition and Construction Environmental Management Plan has been submitted to and approved in writing by the LPA. The plan must demonstrate the adoption and use of the best practicable means to mitigate pollution arising from emissions of waste, noise, vibration, dust
 - proposed site working hours;

- the proposed demolition and construction methodologies and the identification of any potentially significant sources of dust, noise, vibration and artificial light pollution;
- detailed proposals for the management and storage of any wastes generated;
- detailed mitigation measures to reduce noise and vibration in accordance with Parts 1 and 2 of BS 5228; and
- detailed dust mitigation measures in accordance with the IAQM 'Guidance on the assessment of dust from demolition and construction'.

Reason: In the interests of residential amenity and to ensure that the development can be carried out safely without unacceptable risks to neighbours and other offsite receptors.

6. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority

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

7. Before the development hereby permitted commences a written scheme must be approved to the local planning authority which identifies all potential noise sources (especially any fixed plant source as coolers, heaters, extractors, air conditioning etc), details their predicted acoustic performance and specifies the provisions to be made for the control of noise emanating from the site. The details contained within this approved written scheme must then be implemented in full prior to first use.

Reason: In the interests of protecting residential amenity.

8. No development approved by this planning permission shall take place until a detailed acoustic assessment of the impacts arising from noise from fixed plant has been submitted to, and approved in writing by, the LPA. The assessment should identify and detail all items of fixed plant (including extraction, ventilation, heating, cooling, air-conditioning and refrigeration) which are located on or connected to external elements of the development and assess the impacts of noise arising from them against appropriate standards including BS4142 and BS8223. If noise control measures are required these should be also be detailed. Thereafter the development must be completed in accordance with the approved acoustic assessment.

Reason: To protect the amenity of neighbouring residents

9. The development must be completed in accordance with the noise control measures specified in the submitted Spectrum Acoustic Consultants 'Planning noise assessment' (RJ6/20284/First Issue), namely:
- the 2m high glazed screen and highly absorptive layer detailed in section 5.2; and
 - the glazing and ventilation specified in Appendix D.

Reason: To protect the amenity of neighbouring residents

10. No development approved by this planning permission shall take place until an assessment of odours arising from the proposed kitchen has been submitted to, and approved in writing by, the LPA. The assessment should accord with the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems. An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.' If odour control measures are required these should be detailed. Thereafter the development must be completed in accordance with the approved odour assessment.

Reason: To protect the amenity of neighbouring residents.

11. No withstanding the allowances of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), the premises hereby permitted, shall be used solely as a C2 Care home as defined in The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order) (with or without modification)

Reason: To retain control and enable consideration as to whether other uses in the Use Class would be satisfactory in this area.

12. No part of the development shall be commenced until details of the improved accesses and highway works shown on Drawing No. 60760/PP/001 B have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be laid out and constructed in its entirety prior to the occupation of the development.

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

13. The areas to be provided for storage of Refuse/Recycling bins, as detailed in drawings 19-0450129 B, shall be implemented 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.

14. All delivery, waste collection and other large goods vehicle traffic serving the permitted development shall be subject to a Delivery Management Plan (including details of signage to be erected, measures to enforce the plan, and measures to consider and control noise). This shall be submitted to and approved in writing by the local planning authority prior to commencement on site. All delivery, waste collection and other large goods vehicles serving the development must do so in accordance with the Plan.

Reason: To reduce and / or remove as far as is reasonably possible the likelihood of delivery and other large vehicles using the car park accesses on Gorleston Road.

15. The use shall not commence until the area(s) within the site shown on Drawing No. 60760/PP/001 B for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

16. Before the improved accesses are first used visibility splays shall be provided as shown on Drawing No. 60760/PP/001 B with X dimensions of 2.3m and 2.4m and Y dimensions of 59m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

17. Before the development is commenced details of the covered bike storage area, as detailed on drawing 19-045-110 Rev D, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable transport choices

18. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

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

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

20. Within 28 days of practical completion of the last dwelling, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

21. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
- i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

22. The Cafe, hereby approved as part of this application, shall only be used by residents and staff of the care home, or people visiting current residents of the care home. The cafe shall not be open to members of the public outside of this group.

Reason: To protect highway safety and the amenity of neighbouring residents.

11. **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. Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

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

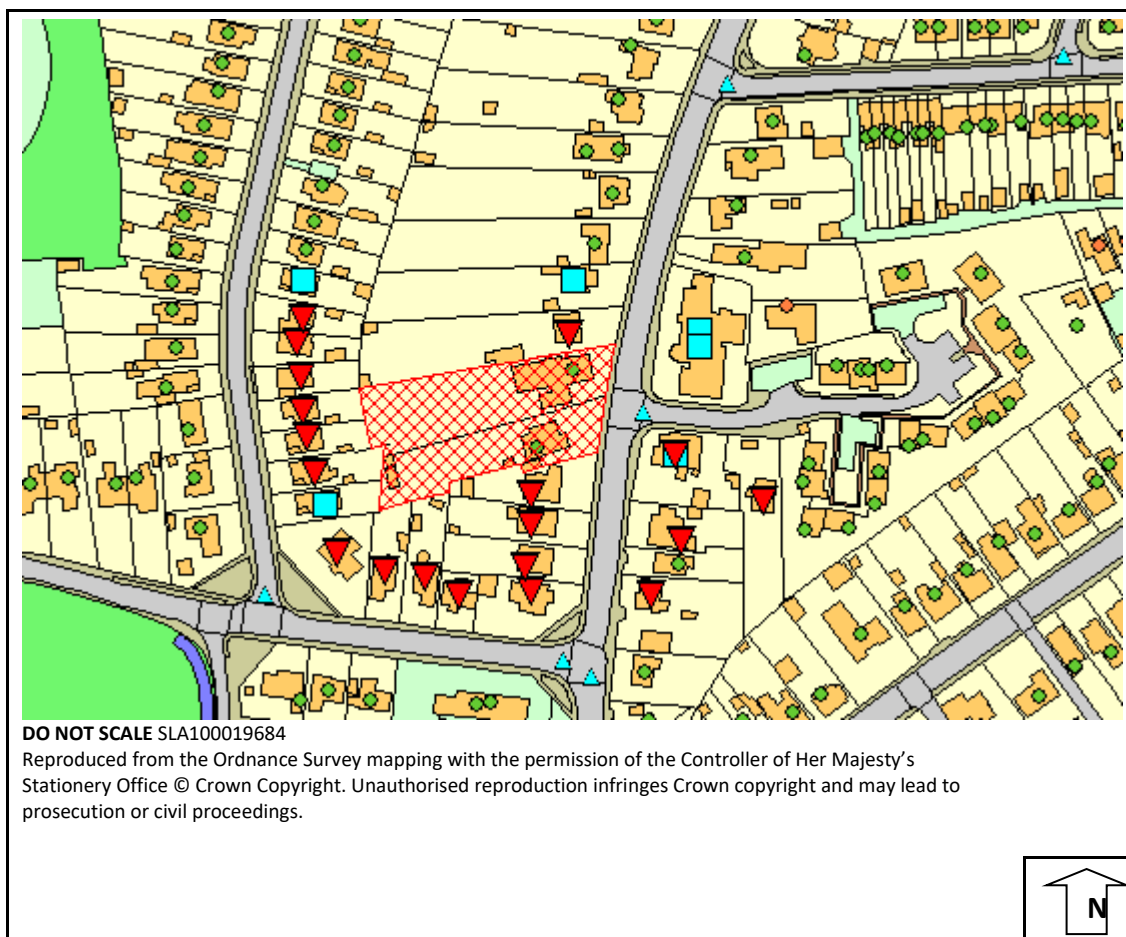
The County Council's East Area Manager must be contacted on Telephone: 0345 6066171. Further information can be found at:
<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

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





12. **Background information**

See application reference DC/20/1395/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 22 February 2021

Application no DC/20/4686/FUL

Location

Land Rear Of 185
Saxmundham Road
Aldeburgh
Suffolk
IP15 5PE

Expiry date 25 January 2021

Application type Full Application

Applicant Aldeburgh Golf Club

Parish Aldeburgh

Proposal Erection of 1no. single storey dwelling

Case Officer Steve Milligan

07867 158060

steve.milligan@eastsuffolk.gov.uk

1 Summary

- 1.1 This is a full planning application for the erection of 1 no. single storey dwelling within the rear garden of 185 Saxmundham Road, Aldeburgh, Suffolk. The site lies on the north-eastern side of Saxmundham Road between 185a to the north-west and 183b to the east.
- 1.2 The site lies within the settlement boundary of the market town of Aldeburgh, as defined within the East Suffolk Suffolk Coastal Local Plan 2020 and lies within the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty. The site is outside any area at significant risk of flooding (EA flood zone 1).
- 1.3 Development in Aldeburgh is subject of Planning policy SCLP12.26 - Strategy for Aldeburgh which states that "*New residential development is targeted at meeting the needs of the local community through provision to meet the needs of the ageing population and enabling local residents to stay within the area*".

- 1.4 A modest single storey property would generally comply with SCLP12.26.
- 1.5 The site is more modest than the other backland plots that have been approved within this part of Saxmundham Road, where backland development has typically involved double width plots such as that at 183b and 149a. Whilst there is concern that the development is not 'well related in scale and design to adjacent properties', it has adequate curtilage for a one bedroom property, car parking is in compliance with Suffolk Guidance for Parking 2019 and it will have adequate light/amenity.
- 1.6 The single storey form will limit impact upon the amenity of adjacent neighbours. There is some concern over noise from vehicular manoeuvring to the rear of 185a, however this will not be of a level/magnitude so as to cause serious loss of residential amenity contrary to policy SCLP11.2.
- 1.7 The dwelling will be generally screened from public views by frontage properties.
- 1.8 On balance the site is just large enough to accommodate the one bedroomed single storey dwelling without significant adverse impact upon the character of this part of the town or the amenity of neighbours and will be in compliance with policy SCLP5.7.
- 1.9 The dwelling lies within the 13km zone of influence a European habitats site under Article 4.1 of the Directive (79/409/EEC). The Suffolk Recreation Avoidance Mitigation Strategy ("Suffolk RAMS") identifies that new housing development within a 13km zone of influence ("ZOI") of any designated European site in Suffolk will have a likely significant effect on the interest features of those sites through increased recreational pressure, both alone and in combination with other housing in the ZOI. To mitigate this, a per-dwelling financial contribution of £321.22 is required to fund the Suffolk RAMS.
- 1.10 The proposal is considered to be in compliance with local and national policies and is recommended for approval (subject to receipt of RAMS payment). The recommendation is contrary to the recommendation of the Aldeburgh Town Council. The case was referred to the Scheme of Delegation Referral Panel with a recommendation that the application is approved under delegated powers, however the Panel determined that the application be referred to Planning Committee.

2 Site description

- 2.1 The site lies to the rear of 185 Saxmundham Road. 185 Saxmundham Road comprises a red brick semi-detached two storey house with slate roof. The house is sited on a generous plot, with a width in excess of 11 metres and a depth of around 53 metres. There is a gap between the house and boundary with the neighbour of over 5 metres. The space is occupied by a prefabricated pitched roof garage (proposed for demolition).
- 2.2 To the north-east (rear) of the site is land which forms part of the Golf Club Estate, through which the route of public footpath no.16 passes. The site lies within flood zone 1 and the Suffolk Coast and Heaths AONB.
- 2.3 This part of Saxmundham Road is made up of a mix of housing styles and ages. The neighbour to the north-west is 185a a 1960/70's detached two storey house. 183 is the

other half of the pair of semis with 185, while beyond that is a modern 2 storey detached house (no.183a). To the rear of that property and 183 Saxmundham Road is a detached modern bungalow, ref DC/15/4152/FUL - 3bed detached bungalow Rear of 183 and 183a Saxmundham Road.

3 Proposal

- 3.1 The application proposes the erection of a 1 bed bungalow and garage at the rear of 185 Saxmundham Road. Vehicular access would be from the existing access point with Saxmundham Road with new parking provided to the front of 185 Saxmundham road, which will otherwise retain front and rear garden space serving the property.
- 3.2 Parking provision is proposed to the south of the dwelling and a single garage. The garage is proposed adjacent to pitched roofed single storey outbuildings which exist at the rear of both 183 and 185 straddling their common boundary.
- 3.3 The proposed dwelling is of contemporary design with render and boarded walling under a natural slate roof.

4 Consultations/comments

- 4.1 One objection has been received stating that No 185 is a four bedroom property with at least two cars. If parking is restricted it will lead to congestion and on street parking, on the main road into Aldeburgh. This will be a safety hazard.

5 Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Aldeburgh Town Council	2 December 2020	22 December 2020
"ATC Planning Committee considers this application to be overdevelopment of the site. The Committee is also concerned that there is inadequate parking provision for this property and the property with which the proposed property would share a driveway, resulting in parking on the Saxmundham Road and therefore OBJECTS to this application."		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	2 December 2020	11 December 2020
Summary of comments: The Highway Authority recommends the inclusion of conditions regarding access improvement; bin storage/presentation and parking/manoeuvring in the event of the grant of planning permission.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Aldeburgh Society	N/A	4 January 2021
<p>Summary of comments:</p> <p>Aldeburgh Society object to the grant of planning permission.</p> <p>It is considered that the site is not adequate for backland development, being much smaller than the adjoining site. The result would be a cramped and uncomfortable form of development, out of keeping with, and detrimental to the amenities and enjoyment of adjoining and surrounding residential properties.</p> <p>There is a lack of adequate parking, turning, and garaging space for the existing house.</p>		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	8 December 2020
<p>Summary of comments:</p> <p>Suffolk Fire and Rescue Service confirms no additional water supply for fire fighting purposes is required. It recommends compliance with Building Regulations and the provision of an automatic fire sprinkler system.</p>		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	2 December 2020	2 December 2020
<p>Summary of comments:</p> <p>The proposed development is a low risk of being affected by contamination from previous uses of the site. A condition is recommended regarding any unexpected contamination that may be discovered during the development.</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	2 December 2020	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Ecology (Internal)	2 December 2020	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Reconsultation consultees

6 **Publicity** None

7 **Site notices**

General Site Notice

Reason for site notice: New Dwelling
Date posted: 10 December 2020
Expiry date: 4 January 2021

8 **Planning policy**

8.1 National Planning Policy Framework 2019

8.2 East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020 policies:

SCLP3.3 - Settlement Boundaries
SCLP5.7 - Infill and Garden Development
SCLP7.2 - Parking Proposals and Standards
SCLP11.1 - Design Quality
SCLP11.2 - Residential Amenity
SCLP12.26 - Strategy for Aldeburgh
SCLP10.1 - Biodiversity and Geodiversity

9 **Planning considerations**

9.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.

9.2 The development plan comprises the East Suffolk Council – Suffolk Coastal Local Plan (“The Local Plan”) and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

- 9.3 The site falls within the settlement of boundary of Aldeburgh. Policy SCLP3.3 of the Suffolk Coastal Local Plan supports, in principle, new development within defined settlement boundaries. Policy SCLP12.26 states that new residential development in Aldeburgh should be targeted to meet the needs of the local community through provision to meet the needs of the ageing population and enabling local residents to stay within the area.
- 9.4 The proposals will provide a modest sized 1 bed bungalow, which will make a positive contribution to the supply of new housing in the locality and provide accommodation well suited to those looking to downsize. Paragraph 5.38 of the adopted Local Plan as a supporting paragraph to SCLP5.8 (Housing Mix), emphasises the strong demand for smaller properties, in particular those suitable for downsizing, given the projected growth of the ageing population. The proposal to provide a 1 bed bungalow in Aldeburgh is in accordance with Policy SCLP12.26.
- 9.5 Policy SCLP5.7 states that proposals for infill development or residential development within existing gardens will be supported where:
- a) The scale, design and materials would not result in harm to the street scene or character of the area;
 - b) The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site;
 - c) There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;
 - d) Existing and proposed dwellings have sufficient curtilage space; and
 - e) The proposals are otherwise in accordance with the housing policies of the Local Plan.
- 9.6 The property is consistent in storey height and plot depth with the bungalow to the east (rear of 183 Saxmundham Road). The dwelling would be well screened from public views by the frontage properties and will not have significant material impact on the street scene or character of the area.
- 9.7 The dwelling has been designed to limit the impacts on the privacy of surrounding properties by virtue of the single story form and fenestration arrangement. It is designed with sufficient amenity space for a one bed roomed property with the primary garden area having a western aspect of a depth to provide private amenity space for the existing and proposed dwelling.
- 9.8 Privacy will be afforded by the boundary enclosure to the garden, the single storey nature of the bungalow and the garage proposed to the south. No.185 Saxmundham Road will retain adequate front and rear garden space. It is considered therefore that the proposals are compliant with Policy SCLP5.7 (Infill and Garden Development); SCLP11.1 (Design Quality) and SCLP11.2 (Residential Amenity).
- 9.9 Suffolk Guidance for Parking indicates that 1 on plot space should be provided for 1 bed dwellings. A garage is proposed within the curtilage of the site. A Bike Store is located to the west of the site. Additional traffic generated from one additional 1 bed dwelling will be very low and have very limited effects on the pre-existing level of traffic using Saxmundham Road, with off-street parking provided for the retained 185 Saxmundham Road. Both will utilise the existing point of access with Saxmundham Road. The proposals accord with Policy SCLP7.2.

- 9.10 The dwelling lies within the 13km zone of influence of a European habitats site under Article 4.1 of the Directive (79/409/EEC). The Suffolk Recreation Avoidance Mitigation Strategy ("Suffolk RAMS") identifies that new housing development within a 13km zone of influence ("ZOI") of any designated European site in Suffolk will have a likely significant effect on the interest features of those sites through increased recreational pressure, both alone and in-combination with other housing in the ZOI. To mitigate this, a per-dwelling financial contribution of £321.22 is required to fund the Suffolk RAMS. A RAMS contribution will therefore be required prior to the grant of planning permission.

10 Conclusion

- 10.1 It is considered that whilst a modest site, it is large enough to accommodate the proposed one bedroom single storey dwelling without significant adverse impact upon the character of this part of the town or the amenity of neighbours. The proposal is considered to be in compliance with the Local Plan which supports the provision of housing which is appropriate to meet the needs of the ageing population.
- 10.2 Adequate car parking is available for both existing and proposed dwellings and the proposal is in compliance with policy SCLP7.2.
- 10.3 Subject to receipt of RAMS contribution it is considered that the proposed development is acceptable and is hereby recommended for approval.

11 Recommendation

Authority to Approve subject to receipt of RAMS payment.

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 Drg Nos 20-043-199; 20-043-200-A and 20-043-201 received 18.11.2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the plot shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

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

4. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 20-043-200-A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

5. The use shall not commence until the area(s) within the site on dwg. no. 20-043-200-A for the purposes of Loading, Unloading, manoeuvring and parking of vehicles (including garage) and the secure storage of cycles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including 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.

7. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such.

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

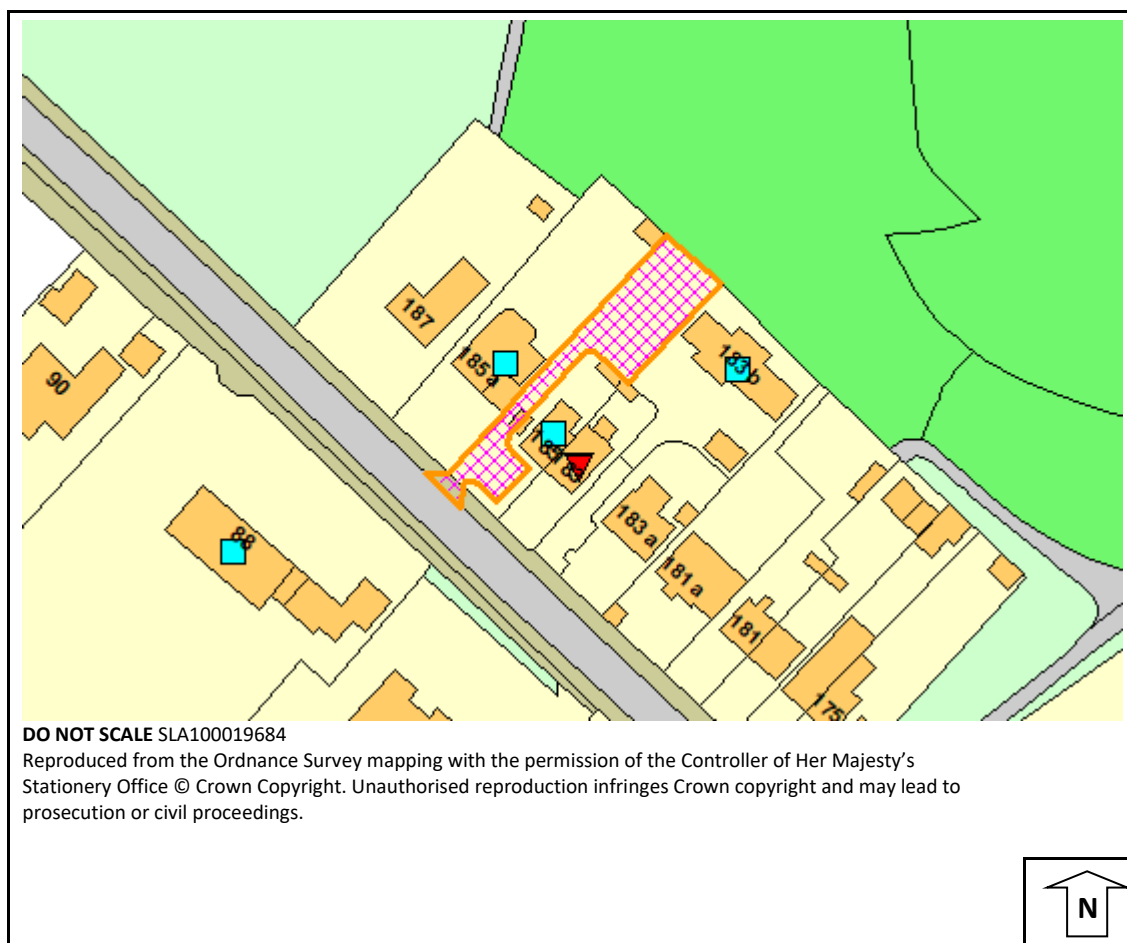
Informatives:

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.





Background information

See application reference DC/20/4686/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 22 February 2021

Application no DC/20/3279/FUL

Location

64 London Road North
Lowestoft
Suffolk
NR32 1ET

Expiry date 20 October 2020

Application type Full Application

Applicant Mr Gary Schwartz

Parish Lowestoft

Proposal Change of use of part of ground floor from commercial unit to 1-bed residential flat with erection of single storey infill rear extension following the demolition of part of single storey rear extension and removal of external stairs at rear.

Case Officer Matthew Gee
01502 523021
matthew.gee@eastssuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the change of use of part of the ground floor of 64 London Road North from a commercial use to a one-bedroom residential flat. The proposal also includes associated building works comprising the erection of a single storey infill rear extension, following the demolition of part of single storey rear extension and removal of external stairs at rear.
- 1.2. The proposal is considered to be compliant with Local Plan policy WLP8.19 and would not adversely impact on the viability and vitality of the town centre. In addition, the flood risk to the new dwelling created can be properly mitigated, and the proposal would not result in adverse amenity impacts. Therefore, the proposal is considered to represent a sustainable form of development, compliant with local and national planning policy. Approval is recommended.

- 1.3. The application was referred to the Planning Committee (North) by referral panel on the 08 December 2020, to enable matters around deliveries and the internal layout to be considered.

2. Site description

- 2.1. The site is located within the Settlement Boundary, Town Centre and Conservation Area for Lowestoft. The site comprises of a three-storey building, mid terraced, with a retail use at ground floor (formerly The Money Shop), and storage space at the first and second floors. The site fronts London Road North (main shopping area) to the west; Grove Road to the east; the former Palmers Department store to the north; and retail unit to the south.
- 2.2. Part of the site is located within Flood Zone 2 of the Environment Agency (EA) modelling, and the site is at risk from future flooding as a result of climate change, as modelled in the Councils Strategic Flood Risk Assessment (SFRA).
- 2.3. Planning history
- DC/20/1353/FUL - Change of use of 1st & 2nd floors from storage to 4 self contained flats (2 X 2-bed and 2 X studios) with new entrance from London Road North – Granted 29/05/2020
 - DC/10/0266/COU - Change of Use from A1 retail to A2 financial and professional services – Granted 09/04/2020
 - DC/07/0367/FUL - Modifications to previously approved single-storey, rear extension - Granted 20/03/2007
 - DC/04/1404/FUL - Single storey rear extension – Granted 19/10/2004

3. Proposal

- 3.1. Planning permission is sought for the change of use of 62.3sqm of ground floor from A2 to one-bed residential flat, with 58.9sqm retained for the remaining part of the A2 unit.
- 3.2. The proposal also includes the demolition of part of an existing single storey rear extension, and the erection of a single storey infill rear extension, between two existing flat roof extensions to provide an additional 6sqm.

4. Consultations/comments

- 4.1. No third-party letters of representation have been received.

Consultees

Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	28 August 2020	9 September 2020
Comments:		

The Town Council's Planning and Environment Committee considered this application at a meeting on 8 September 2020. It was agreed to recommend refusal of the application. The flood risk document supporting this application did not cover flooding of the ground floor despite this building being located in the flood risk zone. The application is contrary to WLP8.24 and should not be granted without further information being provided.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council Highways	21 December 2020	4 January 2021
Summary of comments: No objections subject to conditions		

Non statutory consultees

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	28 August 2020	No response
Summary of comments: Internal planning consultee; heritage matters covered in planning considerations section of this report.		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	11 September 2020	2 October 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	11 September 2020	2 October 2020	Lowestoft Journal

6. Planning policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 6.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed below:

WLP1.2 - Settlement Boundaries
WLP8.19 - Vitality and Viability of Town Centres
WLP8.24 - Flood Risk
WLP8.29 - Design
WLP8.34 - Biodiversity and Geodiversity
WLP8.39 - Conservation Areas

6.3 The National Planning Policy Framework (NPPF) is a material consideration.

7. Planning considerations

Principle of Development

- 7.1. The site is located within the Town Centre Boundary and is within a Primary Shopping Frontage. Policy WLP8.19 sets out that within Primary Shopping Frontages, proposals to change the use of ground floor premises from use classes A1 retail or A3 cafés and restaurants to other uses will only be permitted in a set number of instances.
- 7.2. The premises were previously the 'The Money Shop' which formally fell within class A2 of the use class order, and therefore it is not expressly covered by policy WLP8.19. The proposal would provide a benefit in regard to the sustainable location and potential added spending within the town centre. The proposal also complies with national policy around mixed use development and bring more residential use in the town centres to promote economic benefits. However, these need to be weighed against the potential loss of commercial floor space, in this instance it is not considered that the use of the rear of the site would result in a significant impact on the viability or vitality of the street scene as the shop front and unit onto the London Road North would still be retained, with access to the property from the rear along Grove Road. The agent has also confirmed that deliveries can take place through the front of the store as occurs in a number of instances in the immediate area.
- 7.3. The site is located within a highly sustainable location close to amenities and a number of public transport links. SCC Highways have reviewed the proposal and raised no objections to the proposal subject to conditions ensuring the cycle and bin storage areas are brought into use prior to first occupation.

Conservation Area

- 7.4. The site is located within the Conservation Area, and therefore policy WLP8.39 sets out that proposed development should preserve or enhance the character and appearance of the area. The proposal seeks to remove an existing single storey flat roof store and construct a small infill extension between two existing rear extensions. The proposed alterations are not considered to adversely impact on the character of the building and given the existing screening at the rear it will not be highly visible from the public realm. As such it is considered to preserve the character and appearance of the Conservation Area.
- 7.5. The site is located within the setting of two nearby Listed Building of the former post office officer and Natwest Bank, situated approximately 3m south-west from the application site. This application does not seek to make any external alterations to the front elevation, with

the only external alterations taking place at the rear which is not considered to be within the direct setting of the Listed Building. It is therefore considered that the proposal would have no additional impacts on the setting of the Listed Building.

- 7.6. Therefore, given the above considerations the proposal is considered to represent a less than substantial impact to the heritage assets of the Conservation Area and nearby Listed Building. Paragraph 196 of the National Policy Planning Framework, sets out that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” In this instance the public benefits arising through the creation of a much need single bedroom property, in a highly sustainable location, and the added benefits of potential increased public spending within the tow centre are considered to outweigh this low level impact.

Flood Risk

- 7.7. Policy WLP8.24 sets out the council’s approach to flood risk from new development and identifies that development proposals should consider flooding from all sources taking into account climate change. Paragraph 160 and 163 of the NPPF also sets out similar assessment for proposals at potential risk of flooding. Proposals at risk of flooding should demonstrate a number of points including that; The development provides sustainability benefits which outweigh flood risk; and that a site-specific flood risk assessment has been submitted which demonstrates that the flood risk can be satisfactorily mitigated over the lifetime of the development.
- 7.8. The site is located within the EA flood zone 2, and the site is noted as being within a 1:200 year even when climate change is considered, with a potential 'risk to some'. As the application is for change of use of an existing building there is no local or national requirement for a sequential or exception test to be undertaken.
- 7.9. The applicant has submitted a Flood Risk Assessment that details that the site is at low risk, and provides mitigating measures, such as the occupiers signing up to flood alerts, and that in a worst-case scenario safe egress can be reached at first and second floor. Furthermore, the SFRA identifies that flood water levels would be relatively low in the area during a 1:200-year flooding even, with the area at the Grove Road being outside of any flood risk around 50m north east from the site. Flood risk will also be reduced once flood defences works in Lowestoft are undertaken. Therefore, in this instance the risk to health is considered to be limited, and the proposal would provide affordable accommodation in a very sustainable location which are considered to outweigh the low potential risk.
- 7.10. Paragraph 163 of the NPPF also seeks to ensure that planning application do not increase flood risk elsewhere. The proposal involves the removal of one extension and erection of a similar sized infill extension. It is not considered that this would result in an increased risk of flooding elsewhere. The site specific flood risk assessment, concludes that the proposal would not result in increased flooding in other locations.

Amenity

- 7.11. Policy WLP8.29 sets out that proposed development should not result in an adverse impact on the amenity of neighbouring residents. The proposed infill extension is located in a

courtyard area at the rear of the property. It is not considered that the proposed extension would result in any loss of light to neighbouring properties, neither would the change of use adversely increase noise in the area.

- 7.12. Policy WLP8.29 also seeks to ensure that a good level of amenity is provided for future occupiers of the property. The proposal provides a minimal shared external space for occupiers of this proposed flat and the four previously approved on the first and second floors. However, it is also noted that the site is located in close proximity of a number of outside public places including the beach and is also in close proximity of the Bus and train stations. Furthermore, the proposed flat is located at the rear of the site on a not particularly busy road and is not considered that the future occupiers would be adversely impacted by excessive noise level in the area. The proposal is therefore considered compliant with policy WLP8.29.

Ecology – Recreational Impact on Designated Habitats Sites

- 7.13. The Habitats Regulations Assessments (HRAs) of the Suffolk Coastal District Council Core Strategy and Development Management Policies Development Plan Document (2011 and 2013) and the Waveney District Council Local Plan (2019) identified that increased levels of residential development would have a Likely Significant Effect (LSE) on Habitats sites (European designated sites) on the Suffolk coast. The LSE is predicted to arise from increased levels of recreational use resulting from residents of new development. This would be an in-combination effect as a result of the total amount of new housing growth in the district.
- 7.14. Following the findings of the Local Plan HRAs and under direction from Natural England, the Local Planning Authorities with residential growth in areas which are likely to impact on Suffolk coast Habitats sites have worked collaboratively to prepare and implement a mitigation strategy to address the identified LSE and prevent cumulative new development resulting in an adverse effect on the integrity of the designated sites. The LPAs involved are East Suffolk Council (formerly Suffolk Coastal District Council and Waveney District Council); Babergh and Mid Suffolk District Councils and Ipswich Borough Council. This strategy is currently referred to as the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy or “Suffolk Coast RAMS”.
- 7.15. The site is located within 13km of the nearest European Protected Site at the Benacre to Easton Bavents SPA and Benacre to Easton Bavents Lagoons (SAC). Therefore, the in combination effect of new residential development on these sites needs to be considered inline with the Suffolk Coast RAMS. In this instance the applicant has agreed to make the relevant financial contribution to the RAMS project and therefore the potential impact of the proposed residential development is considered to be mitigated.

Other matters

- 7.16. The site provides external space for bin and cycle storage for the proposed and previously approved accommodation at first and second floors. These are located at the rear along the southern boundary of the site and provide space for 10 domestic waste bins, and 5 cycles. Including the four previously approved flats at first and second floors, this equates to the provision of 2 bin storage spaces and 1 cycle space per flat. This is considered to be sufficient for a 1 bedroom flat given the close proximity of other public transport links. In

addition, SCC Highways consider that the level of onsite cycle storage is acceptable and have raised no objections to the proposal.

8. Conclusion

- 8.1. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

9. Recommendation

- 9.1. It is recommended that planning permission be granted subject to conditions.

10. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
- Site Location Plan, AUG/GS/20-001, received 26/08/2020,
 - Existing & Proposed Ground Floor Plan, AUG/GS/20-003, received 26/08/2020,
 - Existing & Proposed roof Plan, AUG/GS/20-004, received 26/08/2020,
 - Existing & Proposed rear elevation, AUG/GS/20-005, received 26/08/2020,
 - Existing & Proposed rear elevation, AUG/GS/20-006, received 26/08/2020,
 - Proposed Section A-A, AUG/GS/20-008, received 26/08/2020,
 - Design and Access Statement, AUG/GS/20-DAS, received 26/08/2020,
 - Flood Risk Assessment, QFRA 1675 Rev 1.1, received 30/11/2020;
- for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by UK Flood Risk, referenced QFRA 1675 Rev 1.1 and dated 30/11/2020

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

4. 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

5. All new external joinery shall be of painted timber.

Reason: In order to safeguard the special architectural or historic interest of the building.

6. The use shall not commence until the area(s) within the site on dwg. no. AUG/GS/20-003 for the purposes of secure cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To promote sustainable transport choices

7. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number AGUJ/GS/20-003 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

Informative:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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





Background Papers

See application reference DC/20/3279/FUL on [Public Access](#)

Map



Key

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