

Confirmed



Minutes of a Meeting of the **Planning Committee South** held remotely, via Zoom, on **Tuesday 26 May 2020 at 2pm**

Members of the Committee present:

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

Other Members present:

Councillor Paul Ashdown, Councillor Richard Kerry, Councillor David Ritchie, Councillor Rachel Smith-Lyte, Councillor Steve Wiles

Officers present:

Katherine Abbott (Democratic Services Officer), Martin Baker (Project Manager/Business Analyst), Liz Beighton (Planning Development Manager), Karen Cook (Democratic Services Manager), Rachel Lambert (Planner (Major Sites)), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner)

1 Apologies for Absence and Substitutions

No Apologies for Absence were received.

Councillor Cooper lost his internet connection with the Meeting at this point.

2 Declarations of Interest

Councillor Allen declared a Local Pecuniary Interest in item 8 (Land to the east of the Water Tower, Spriteshall Lane, Trimley St Mary) as a Director of the Applicant company, Alston Homes Ltd.

Councillor Bird declared a Local Non-Pecuniary Interest in item 6 (Felixstowe Ferry Golf Club, Ferry Road, Felixstowe) as a member of Felixstowe Town Council and as Chairman of that Council's Planning and Environment Committee, and in item 8 (Land to the east of the Water Tower, Spriteshall Lane, Trimley St Mary) as County Councillor for Felixstowe North and Trimley. Councillor Deacon also declared a Local Non-Pecuniary Interest in item 6 and item 8 as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

The following Declarations of Lobbying were received:

Councillor Allen, item 6, Felixstowe Ferry Golf Club, Ferry Road, Felixstowe - Councillor Allen had not responded to the lobby.

Councillor Bird, item 6 - Councillor Bird had not responded to the lobby.

Councillor Deacon, item 6 - Councillor Deacon had acknowledged receipt of the lobby.

Councillor Hedgley, item 6 - Councillor Hedgley had acknowledged receipt of the lobby.

Councillor McCallum, item 6 - Councillor McCallum had not responded to the lobby.

Councillor Yule, item 6 - Councillor Yule had not responded to the lobby.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 25 February 2020 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Planning Committee South received report **ES/0376** which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had either been sanctioned under delegated powers or through the Committee up until 27 April 2020. There were, at the time of preparing the report, 18 such cases. There were no questions from the Committee on the contents of the report. It was proposed, seconded and by unanimous vote

RESOLVED

That, having received and commented upon the report concerning Outstanding Enforcement matters up to 27 April 2020, it be noted.

6 DC/19/5049/FUL - Felixstowe Ferry Golf Club, Ferry Road, Felixstowe, IP11 9RY

The Planning Committee South received report **ES/0377**. The Planning Officer summarised the published report and advised that the application site was located towards the north of Felixstowe and occupied a prominent coastal position. The site was within the countryside and partly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The site comprised part of the existing Felixstowe Ferry Golf Club and part of East Suffolk Council's owned Clifflands car park. The proposal involved the redevelopment of the site including the provision of a new clubhouse building, the erection of five new residential dwellings, re-designed access and car parking, a viewing platform and the relocation of the existing Coastwatch mast. The existing golf club pro-shop and clubhouse would be demolished. The application was an 'enabling' development in that profits from the residential properties would be used to part fund the re-development of the Golf Club which would include a public putting green, public toilets, a public cafe and viewing platform. The application was presented to the Planning Committee as part of the application site was owned by East Suffolk Council. The Planning Officer further advised that the Committee's members had carried out a site visit on 18 February 2020.

The Planning Officer continued to advise that although the site lay outside of the defined physical limits boundary of Felixstowe where new residential development would not normally be permitted, in this case it was considered that there was sufficient public benefit in allowing

the proposal to justify the deviance from policy. The Planning Officer provided a detailed presentation which summarised the site's description, provided in more detail within the published report, the results of the consultation process and responses received from consultees, both statutory and non-statutory, the planning policies relevant to the proposal, planning considerations including the principle of development, enabling development, major development in an AONB and design. The Planning Officer also referred the Committee to the viability statement which had been circulated after the publication of the main report and to the update sheet which detailed any additions or corrections to the report.

The application was therefore recommended for approval subject to the controlling conditions outlined in the report.

The Chairman invited questions from the members of the Committee.

A member of the Committee asked for clarity on the relevance of the Local Plan and the validity of the policies of the Felixstowe Area Action Plan to the application. The Planning Officer replied that the Draft Local Plan remained in the consultation phase and had not, therefore, been adopted; she added that the Area Action Plan formed part of the currently adopted Local Plan. The member also asked that, for presentational purposes, it would have been preferable to have images of the site that gave a better and solid indication of the proposed houses. The Planning Officer agreed that this would have been a better indication of density. The member referred to paragraph 7.12 of the report regarding the proposed cafe and asked for confirmation that it would be accessible to the public as well as golf club members. The Planning Officer confirmed that the cafe was mainly intended for use by the public and that there was a separate members' area. The Head of Planning and Coastal Management added to the earlier remarks by stating that the Draft Local Plan was within the consultation on the main modification stage and that there were no proposed changes for the Felixstowe Ferry area.

Another member of the Committee referred to the proposed change to the location's entrance and asked if there would be adequate signage at the Council's Clifflands Car Park to avoid confusion; he also asked that, if the Committee was minded to approve the application, it might wish to make such signage a condition. The Planning Officer said that no details of signage had been received from the applicant, however, the Clifflands Car Park would remain Council-owned so signage could be assured with the Golf Club. A further member of the Committee asked how many exits and entrances there would be in total and close to what he described as a dangerous corner in the road with no pedestrian crossing. The Planning Officer referred the members of the Committee to the slide in her presentation which indicated the site layout plan; there would be five vehicle entrances/exits in total, the existing car park entrance would be the main entrance to the proposed clubhouse building.

There being no further questions, the Chairman invited Mr David Spencer, Applicant, to address the Committee.

A member of the Committee asked if the Club's course would be open to non-members and that, if planning permission was granted, would the Club be financially viable. Mr Spencer replied that the 9-hole course was a pay and play and so open to non-members and the 18-hole could be used if players paid a green fee and could then, as social members, use the clubhouse facilities. Mr Spencer said that the project would be part-funded through the development of the residential properties on site and some additional income streams, he therefore considered it to be financially viable.

The Chairman invited Councillor Wiles, as Ward Member, to address the Committee.

Councillor Wiles supported the comments of the applicant, Mr Spencer. He added that the Club had a long history and a strong following. Councillor Wiles said he supported the application and its approval.

The Chairman invited the Committee to debate.

A member of the Committee said that he was aware of the important role the Club played in the community and did not object to the provision or design of the Clubhouse. However, the site was outside the physical limits of Felixstowe and, he said, was therefore in the countryside which meant that he considered the application to not adhere to the Council's policies. The member said he also had serious reservations about the access to the proposed residential homes on what he described as a dangerous bend in the road. The member also stated that he was unsure how the wider community would benefit from the project.

Another member of the Committee said the current building was not a non-designated heritage asset and that the current public facing elevation was not noteworthy. He considered the design of the proposed clubhouse to be imaginative and innovative, fitting into the landscape well and providing useful public facilities. The member said he welcomed the proposal which, through an exciting scheme, would allow the Golf Club to thrive and survive.

A further member of the Committee said he was also concerned at the entrance/exit on the corner of the road and suggested that a single entrance for all five proposed houses should have been considered. The Planning Officer advised that the County Council's Highways Department did normally prefer a single entrance but, because of the distance involved and the visual impact, it had not been considered the best option for the design and layout of the proposed housing.

Another member of the Committee said he noted the Ward Member and Town Council's comments and was happy to support the application which, he said, was a proactive response by the Club to address its financial position and remain a viable operation.

There being nothing further raised during debate, the Chairman moved to the recommendation within the report.

It was proposed by Councillor Bird, seconded by Councillor Allen and by majority vote it was

RESOLVED

That the application be approved subject to the controlling conditions detailed below:

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing No

5353_PA102B, 106G, 107, 201I, 202H, 203A, 210B, 220B, 230B, 240B, 250, 300, 301B, 302A, 303, 310B, 330B, 340B, 350, 401, 402, 403, 404, 5353 PB

2019 34 02,

Design and Access Statement

Environmental Report

Transport Statement

Landscape and Visual Appraisal

Flood Risk Assessment

Coastal Erosion Vulnerability Assessment

Bat Roost Survey

Ecological Appraisal and Bat Scoping Survey

Business Plan and Viability Statement

Noise Assessment

Tree Survey Report

Archaeological and Heritage Assessment

Planning Statement

Needs Statement

Landscape Masterplan

Statement of Community Involvement

All received 24 December 2019

5353_PA 200 received 30 January 2020

Coastal Erosion Vulnerability Assessment Revision C received 7 February 2020

Report Number 4664,EC/SHRA/JB,RF,KL/05-03-20/V3 dated 5 March 2020

Drawing nos. 5353_PA_103R and _104J received 13 March 2020

5353_PA_209A received 15 April 2020

5353_PA_005A received 16 April 2020

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. No development above slab level shall commence until details of a lighting strategy, including a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

c) show that light spillage will be minimal and not adversely affect the character or appearance

of the AONB or Heritage Coast landscape.

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

Reason: To ensure that impacts on ecological receptors from external lighting are prevented and that light spillage into the landscape is minimised.

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

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

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

Reason: To ensure that nesting birds are protected.

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

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

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

Reason: To ensure that the development delivers ecological enhancements.

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

- Daytime noise levels for indoor living spaces of 35dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)

- Daytime noise levels for outdoor areas; garden and amenity space of 50dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)

- Night-time noise levels for bedrooms of 30dB LAeq and 45 dB LAmax 8 hour (between the hours of 23:00 - 07:00 hours)

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

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

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

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

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

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

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

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

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

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

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

Further intrusive investigation including:

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

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

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

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

21. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

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

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

23. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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.

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best

practice, including CLR11.

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

24. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority.

Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

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

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

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

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

27. Drainage shall be by pumped system discharging to the manhole identified on page 21 of

part 2 of the FRA/Drainage Strategy

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

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

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

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

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

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

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

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

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

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

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

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

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

33. Before any new access is first used ALL visibility splays shall be provided as shown on submitted drawing numbers PA_104 Rev J and 1906-36--_005A (this includes pedestrian crossing visibility splays) and thereafter all retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

34. The use shall not commence until the area within the site shown on submitted drawing number PA_104 Rev J for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

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

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

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

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

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

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

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

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

Reason: In the interests of highway safety

Informatives:

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

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

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

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

4. It is noted that the applicant intends to discharge surface water to a watercourse within the IDD (directly or indirectly), with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.

(https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf).

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

5. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the

provision of an automatic fire sprinkler system. Consultation should be made with the Water Authorities to determine flow rates in all cases.

Suffolk Fire and Rescue Service currently has a fire hydrant located at one of the entrances to this site. Please ensure that this is identified and protected whilst the work is being carried out and is easily accessible for inspection and work after the build is complete. Failure to protect the fire hydrant could incur repair or replacement costs.

3pm: The Chairman adjourned the Meeting for five minutes. The Head of Planning and Coastal Management left this meeting at the adjournment. The Meeting reconvened at 3.05pm.

7 DC/20/0952/FUL - 32 Thoroughfare, Woodbridge, IP12 1AQ

The Planning Committee South received report **ES/0378**. The Planning Officer summarised the published report and advised that the application sought the demolition of an existing dwelling (including an associated garage structure) and the construction of a replacement dwelling. The Planning Officer advised that the application was before the Committee in accordance with the Scheme of Delegation as the 'minded to' decision of the Planning Officer to approve was contrary to the comments received from Woodbridge Town Council. The application had been considered by the Planning Referral Panel 12 May and it had referred it to the Planning Committee South for deliberation on the impact of the design on the street scene and Conservation Area.

In summarising her report, the Planning Officer advised that the site was located within the defined physical limits boundary of Woodbridge, where replacement residential development was supported, in principle, subject to accordance with all relevant environmental, heritage and design policies. The Committee was also advised that, having due regard to the to the scale of harm to and significance of Ropewalk Cottage as a non-designated heritage asset, it was considered that the quality of the design of the proposed new dwelling be judged to mitigate the loss of the existing dwelling, and would enhance the character and appearance of the Woodbridge Conservation Area. The Committee was informed that the existing building was a two-storey detached property dating from the mid-19th century. The walls were pink painted brick with a set of slightly forward protruding window casements, particularly at first floor level, most noticeable from Jacobs Way. There were two non-original extensions at ground floor level including a conservatory and a single storey rear extension with a flat roof, the later had been constructed sensitively with regards to the style and appearance of the existing dwelling. A site visit had been conducted in early October 2019 in relation to the pre-application process and this had been attended by the applicant (owner), architect, historic buildings consultant, Planning Officer and the Council's Design and Conservation Officer. During the site visit, access had been gained to the existing building, its garden curtilage and surroundings. Subject to the approval of the application, the proposed building was of a low energy and contemporary design, L-shaped in form and aligned against the northern and eastern aspects of the site, allowing for a courtyard style outdoor space in the southwestern quadrant. The inner walls facing garden would be rendered with extensive glazing on the south facing space. A green roof was proposed on a single storey aspect to the front, which would serve as an art room and be linked to the main dwelling. The slate roof would be of varying angles and comprise photovoltaic panels on the south-western field. The main east wall would be an extension and continuation of the existing brick boundary wall to the rear service yard for the shops to the north - the wall would be stepped at the ownership boundary with brick installed rotated at 45 degrees to create a feature wall with glazing each side. The northern elevation to comprise white render and to overhangs the entrance to provide a porch cover. An integral bin store and

cycle parking would be provided, along with two car parking spaces and soft landscaping to the front.

The Chairman invited the Planning Manager (Development Manager) to read comments submitted by the Council's Design and Conservation Officer: "I agree that this application is finely balanced and that any decision must have regard to the merits of retaining the existing cottage which is a Non Designated Heritage Asset and the opportunity afforded by its replacement with a design that I judge to be of outstanding quality. It is not easy recommending that a new design should be accepted at the cost of an attractive small mid-nineteenth century cottage but, having given the application lengthy consideration, it is my view that something that is quite good can be replaced with something that is much better, as here.

This is, in fact , a guiding principle of Conservation Area designation. These are not Preservation Areas, where everything must be kept as found. They allow for the Area to be enhanced by the addition of development that improves its character or appearance. The cottage is attractive but it is not particularly special. The design of the replacement dwelling is, to me, imaginative, high quality, bespoke and distinctive – all the things we want new design to be. I believe that its quality will complement the outstanding quality of the Woodbridge Conservation Area. Anything less, believe me, would have been unacceptable."

The Chairman invited questions.

A member of the Committee, with reference to paragraph 6.4 of the report, Listed Building Status, regarding an important wall leading to the cottage from the south-east that forms part of its boundary and asked if this would be replaced or retained. The Planning Officer replied that the majority of the existing boundary wall would be retained with the decorative element being a new addition.

Another member of the Committee referred to the site visit and if the limited space for vehicle access with 5 Doric Place had been assessed. The Planning Officer replied that this had been taken into account and also considered by the Highways Authority which had raised no objections on the grounds of the ability of vehicles to manoeuvre. The member asked if the Highways Authority had been asked to comment on the availability of the garage. The Planning Officer said this had not been sought specifically but had been provided in the guidance provided by the Highways Authority.

A further member of the Committee asked if any additional responses had been received after the conclusion of the consultation period. The Planning Officer said that the statutory consultation had been applied and added that possibly the applicant may have informally approached the neighbouring properties.

There being no further questions, the Chairman invited Mrs Key-Burr, Objector, to address the Committee.

Mrs Key-Burr said she and her husband owned 6 Doric Place and that their rear wall formed a main boundary with Rope Cottage. Mrs Key-Burr stated that she considered the Council's Design and Heritage Officer to have contradicted the applicant's heritage impact assessment by accepting the cottage's Non-Designated Heritage Asset status but then, she suggested, ignoring the Woodbridge Conservation Area Appraisal. This appraisal, she said, identified an "important wall "which would be partially demolished by the proposal. It also identified the cottage's rear

garden as an important green/open/tree space but which, she suggested, would be almost entirely lost. Mrs Key-Burr continued to advise the Committee that her property's rear wall formed a boundary with the site and she suggested that the applicant had been "disingenuous" in omitting to mention her property and by stating that no neighbours would be affected by the proposal. Mrs Key-Burr also stated that the applicant was in error in stating that her property had four rear windows; she explained that there were six windows and it was untrue for the applicant to state two of these had been bricked up. Mrs Key-Burr said the Planning department had stated that light for the kitchen for a neighbour's home was important and had agreed her kitchen, cloakroom, utility room and dining room would all lose light or have it blocked. Mrs Key-Burr continued to inform the Committee that her first floor bathroom had a clear glass window and would be directly overlooked by the first floor glazed frontage and by the first floor raised sun terrace of the proposed new building. She stated that the distance between the two properties would be 5.8m and she emphasised that this would be an invasion of privacy. Mrs Key-Burr continued to state that every effort should be made to avoid overlooking a garden setting but the first floor raised terrace would directly overlook her paved sitting out and her garden from a distance of 7m. Mrs Key-Burr disagreed that "those using the proposed terrace will look down.....rather than over adjacent residential boundaries" and stated that the applicants would look away from their building and directly on to her seating area in the garden and said that this too would be a serious and unpleasant invasion of her privacy.

Councillor Blundell left the meeting.

The Chairman invited questions for Mrs Key-Burr from the Committee. There were no questions. The Chairman invited Mr Beech, the applicant, to address the Committee.

Mr Beech said that his was a local family. The proposed house was of a highly sustainable and unique design and that, save for Mr and Mrs Key-Burr, no other neighbours had raised objections to the application. Mr Beech added that the proposal included charging points for two fully electric cars and that the house would be insulated to passiv house standards resulting in minimal energy use. Mr Beech said the proposed site had been disused and the existing property empty for some time and was in a poor state of repair.

The Chairman invited questions for Mr Beech from the Committee.

A member of the Committee asked about the consultation responses and what actions he had taken personally in this regard. Mr Beech said he had put leaflets through the doors of neighbouring properties and invited comments on the proposals.

There were no further questions for Mr Beech.

At the request of the Ward Member, Councillor Mapey, who was unable to be present at the meeting, the Chairman read out the following statement on behalf of Councillor Mapey: "I sit as both a District Councillor for Woodbridge Ward, and also a member of Woodbridge Town Council for Seckford Ward (which this property falls within), and I am also a member of the planning committee for Woodbridge Town Council. For clarity - I cannot support this development as submitted. The Woodbridge Town Council Planning committee has considered both of the applications for this property and each time has recommended refusal for it. The reasons given relating to this application are documented in the minutes, but are: We OBJECT to this application as it is contrary to Planning Policies DM21 and SP15. It is also contrary to para 127 of the National Planning Policy Framework. In addition it is contrary to the following

Policies in the Final Draft Local Plan:-Policy SCLP4 Development in Town Centres (page 76)
Policy SCLP11.1 Quality (page 170)Policy CLP11.2 Amenity (page 171)Policy12.31 Woodbridge
(page 282-286)Policy SCLP11.5 Areas (page 176-178). There are also objections noted by the
neighbouring properties to the rear of the site on Doric Place, especially the situation at
Number 5, where not only will all their ground floor windows be effectively blocked off, the
proposed elevated terrace on the development will look straight into the windows on their first
floor that face the site,such as their bathroom. For Clarity I quote Policy CLP11.2 Amenity, as
referenced above:"Residential Amenity 11.17 The planning system plays an important role in
safeguarding the quality of life of residents of the District. New development of any type is
required to be located and designed with regard to the amenity of both existing and future
residents to avoid generating significant harmful effects. Harmful effects can include those
arising from overlooking, loss of privacy, noise, odour and light pollution and overbearing
development. Residential amenity can be affected by individual developments or, as a
result of cumulative impacts. There is a need to consider impacts on the development as well as
from the development." I would also like to remind the committee that Policy SCLP11.5:
Conservation Areas states: Proposals for development within a Conservation Area should:b)
Preserve or enhance the character or appearance of the conservation area;c) Be of an
appropriate design, scale, form, height, massing and position; I, and the Woodbridge Town
Planning Committee, and the residents within the neighbouring properties do not believe that
this proposed development fits within this policy. Further, the same policy states:
d) Retain features important to settlement form and pattern such as open spaces, plot divisions,
position of dwellings, hierarchy of routes, hierarchy of buildings, and their uses. Again,
something that I do not believe this proposed development does; a fact referenced by Robert
Scrimgeour Principal Design and Conservation Officer 26th March 2020, when he describes the
existing cottage at 32 Thoroughfare thusly:
"The building meets three of our criteria making it a Non Designated Heritage Asset. Firstly,
through Aesthetic value; the building through its intrinsic design, which is derived from its
typical local Woodbridge style in terms of materials used and painted brick appearance presents
typical local characteristics. The building thus exhibits a positive external appearance in the
street-scene and wider landscape. Secondly, Group value; the buildings has a coherent design of
the time and era of construction providing a positive historic functional relationship with the
nearby Listed Building to the north and west, and Conservation Area more widely.

Finally, Integrity; the building retains a degree of intactness and lack of harmful external
alterations and as it is part of a group (neighbouring nearby Listed Buildings to the north and
the west) that helps make a contribution to the surviving completeness of that 'group'." It is for
all these reasons above that I cannot support this application as presented and recommend to
the committee that permission be refused."

A member of the Committee asked if Mrs Key-Burr had been consulted by the applicant.
Councillor Yule, also Ward Member, said that this had not happened directly; Mrs Key-Burr
verbally confirmed this statement.

The Chairman invited Councillor Yule, as Ward Member, to address the Committee. Councillor
Yule stated that she agreed with the Woodbridge Town Council submission and was concerned
at the overlooking impact on the neighbouring property which would, she said, be considerable.
Councillor Yule added that Mrs Key-Burr's property required light, whether that was obscured
or not; Councillor Yule added that the proposed property was better than the disused
unrepaired property but there remained matters to be resolved.

Another member of the Committee said this was an opportunity to improve the current site but the design was, he said, faulty.

The Chairman agreed that the proposal was unacceptable.

There being no further matters raised for debate, the Chairman moved to the recommendation to approve as detailed within the report. This was not proposed and therefore the recommendation failed. A new recommendation to refuse was proposed by Councillor Yule, seconded by Councillor Deacon and by a unanimous vote it was

RESOLVED

That the application be refused on grounds of impact to residential amenity and conflict with Policy DM23 (Residential Amenity)

Councillor Allen, who had declared a Local Pecuniary Interest in the next item, left the meeting at this point.

8 DC/20/1043/FUL - Land to the East of Water Tower, Spriteshall Lane, Trimley St Mary, IP11 9QY

The Planning Committee South received report **ES/0379** which proposed the erection of five, three-bedroom dwellings on land east of the Water Tower, off Spriteshall Lane in Trimley St. Mary. The application was before the Planning Committee for determination as a Member of East Suffolk Council was a Director of the applicant company. The Planning Officer informed the Committee that planning permission for the erection of five or six residential properties had previously been granted on the site. The principle of development was, she said, therefore established but this application proposed a revised design and layout.

The Planning Officer presented a summary of the formal Committee report. The Committee was informed that the application site comprised a long, thin strip of land extending approximately 0.13 Hectares. It was located at the northern end of Spriteshall Lane within the physical limits boundary of Trimley St. Mary and formerly formed part of the land associated with the Water Tower. Spriteshall Lane was a dead-end, private road serving a number of other residential properties. The Planning Officer added that the Water Tower lay to the south west of the application site and there were other residential dwellings located immediately to the south of the access track. To the north of the site was a small area of undeveloped land forming a buffer between the application site and the A14 trunk road. The Committee was advised that planning permission was sought for the development of five, two-storey, three-bedroom dwellings. Each would have one parking space within the curtilage and a further six parking spaces would be provided in a shared area to the east of the site. The properties would all face south towards the access track and the residential properties opposite. Two pairs of semi-detached dwellings would be located towards the west of the site and one detached dwelling would be located towards the east of the site. The Planning Officer summarised the other key points within the written report and added that the revised design and layout were considered to be acceptable with no adverse impact on residential amenity. The Planning Officer stated that the proposal was therefore considered to be in accordance with Policy and was consequently recommended for approval.

The Chairman invited the Committee to ask questions of the Officer.

A member of the Committee asked if the previously granted planning permission had been full. The Planning Officer confirmed that this was the case.

There being no further questions and no public speakers in support or against the proposal, the Chairman invited Councillor Kerry, Ward Member, to address the Committee.

Councillor Kerry stated that he fully supported the application and welcomed the proposed development. He referred to the site being on an unadopted road which was maintained by the Residents' Association; Councillor Kerry asked if, subject to the application being approved, it was possible to ensure the Developer made good any damage to the unadopted road during the construction of the proposed properties. The Planning Officer said that, if approved, this could be added as an additional informative to the planning permission.

The Chairman invited debate.

A member of the Committee said the application presented a delightful development and that the proposed properties offered suitable homes for first time buyers.

There being no further matters raised for debate, the Chairman moved to the recommendation. This was proposed by Councillor Hedgley, seconded by Councillor Fryatt and by unanimous vote it was

RESOLVED

That the application be approved subject to the controlling conditions set out below.

Conditions:

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

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended. DC – OFFREP v.1

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing nos. 4594-0100 P01, -0101 P01, -0102 P01, -0301 P01, -0302 P01 and -0303 P01 and Ecological Impact Assessment and Preliminary Ecological Appraisal received 4 March 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary

Ecological Appraisal (PEA) (Abrehart Ecology, February 2020).

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

5. Prior to occupation 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 enhancements measures will be delivered in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

6. 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:

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:

human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

7. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take DC – OFFREP v.1 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.

8. Prior to any occupation or use of the approved development the RMS approved under condition 2 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.

9. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

10. 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 BS10175:2011+A1:2013 and CLR11) and a written DC – OFFREP v.1 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.

11. Prior to the construction of the development hereby approved a Construction Management Plan (CMP) shall be prepared and formally submitted to the Local Planning Authority for agreement. The development shall be carried out in entirety with the approved CMP.

Reason: To ensure that the construction phases is undertaken in a manner which minimises any impact on residential amenity and highway safety.

12. No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made

for archive deposition of the analysis and records of the site investigation

f. Nomination of

a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

13. 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 12 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 DC – OFFREP v.1 ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

14. No development above ground level shall commence until full and precise details of a noise assessment and any necessary mitigation to protect occupiers from traffic on the A14 and Dock Spur Road, has been submitted and approved in writing by the Local Planning Authority. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below:

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

The approved scheme shall be fully implemented before occupation of the relevant dwelling and shall thereafter be retained and maintained as approved.

Reason: In the interest of residential amenity and health.

Informatives:

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

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

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

DC – OFFREP v.1 Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

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

Background information See application reference DC/20/1043/FUL at <https://publicaccess.eastsuffol>

The meeting concluded at 3.53pm.

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Chairman