

Confirmed



Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 30 March 2021**
at **2:00pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley

Other Members present:

Councillor Peter Byatt, Councillor David Ritchie, Councillor Rachel Smith-Lyte

Officers present:

Jamie Behling (Trainee Planner), Liz Beighton (Planning Manager), Joe Blackmore (Principal Planner), Sarah Davis (Democratic Services Officer), Grant Heal (Planner), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner), Karolien Yperman (Design and Conservation Officer)

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Melissa Allen, Debbie McCallum and Kay Yule.

Councillor Mark Newton substituted for Councillor McCallum and Councillor David Beavan substituted for Councillor Yule.

Councillor Tony Fryatt, Vice-Chairman of the Committee, announced that he would be acting as Chairman of the meeting in Councillor McCallum's absence.

2 Declarations of Interest

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in Item 10 of the agenda as both a member of Felixstowe Town Council and as Chairman of that authority's Planning and Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in Item 10 of the agenda as a member of Felixstowe Town Council.

Councillor Mark Newton declared a Local Non-Pecuniary Interest in Item 6 of the agenda as a member of the British Horse Society, owing to a bridleway being located within the application site.

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

3 Declarations of Lobbying and Responses to Lobbying

Councillor Stuart Bird declared that he had been lobbied on Item 7 of the agenda; he had not responded to any correspondence received.

**4 Minutes
RESOLVED**

That the Minutes of the Meeting held on 23 February 2021 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0713** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 26 February 2021. The report detailed 14 such cases.

There being no questions to the officers, the Acting Chairman moved to the recommendation to receive and note the report.

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

RESOLVED

That the report concerning Outstanding Enforcement matters up to 26 February 2021 be received and noted.

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

Note: Katherine Scott, Principal Planner, left the meeting for the duration of this item.

The Committee received report **ES/0714** of the Head of Planning and Coastal Management, which related to planning application DC/20/1831/OUT.

The application had been made in outline form and proposed the erection of up to 55 dwellings on land off St. Andrews Place in Melton. The application site was located within the area covered by Policy MEL20 of the Melton Neighbourhood Plan which sets out proposals for a mixed-use development on a wider site.

While this application was being made independently of the remainder of the site, as the site formed part of the Neighbourhood Plan allocation it was not considered that the principle of development was objectionable. There were technical details still to be resolved in relation to ecology and drainage however once these were overcome, officers considered that the scheme should be recommended for approval. This view was contrary to that of Melton Parish Council and Suffolk County Council as Highways

Authority.

The application was therefore presented to the Referral Panel who considered that this major planning application should be determined by the Committee to enable all matters to be considered.

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

The site's location was outlined. The Senior Planner demonstrated the application site's location in context to the wider site allocated for development by MEL20.

The Committee was shown photographs of the proposed access via St Andrew's Place, which demonstrated the current on-street parking situation on the proposed access route to the site.

A video of the site was played to the Committee which demonstrated views out from the centre of the site.

The indicative masterplan was displayed; the Senior Planner said that it was considered any submission at a reserved matters stage would be of a similar layout to what was indicated in this application.

The main planning considerations and key issues were summarised as compliance with MEL20, the application site being included within a site allocation, only the details of access being considered, highways, access and sustainable transport options, comprehensive/piecemeal development, flood risk and drainage, and a Habitat Regulations Assessment.

The Senior Planner highlighted that Suffolk County Council, as Lead Flood Authority, had removed its objection and that this was detailed in the update sheet that had been published prior to the meeting.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee. The Senior Planner highlighted the additional conditions proposed in the update sheet.

The Acting Chairman invited questions to the officers.

The Senior Planner confirmed that only one point of access was being considered as part of the application; there was potential for alternative access to the site via either the Riduna Park site or the former Carters yard, but these accesses would be subject to separate applications and the land was under separate ownership.

In response to a question regarding layout, the Senior Planner advised that layout would be considered in detail at any reserved matters stage, including how the site would link to the wider area.

It was confirmed that Riduna Park had been developed on the part of the MEL20 site

that had been allocated for B1 commercial use.

The Senior Planner highlighted that the application site was within flood risk zone 1, which was at the lowest risk of flooding. Detailed flood mitigation information would need to be submitted at any reserved matters stage. In response to a question on the maintenance of existing flood defences, the Senior Planner said that this did not form part of this application.

The Acting Chairman invited Ms Deborah Darby, who objected to the application, to address the Committee.

Ms Darby considered that the application could only be approved if the access through St Andrew's Place was granted and that this issue had always been a 'red line' to the Melton community. Ms Darby highlighted assurances given by the applicant in 2017 that access to the site would not be via St Andrew's Place and that plans had been made for alternative access.

Ms Darby considered that this information had influenced the making of the Melton Neighbourhood Plan which as a result was now fundamentally flawed. It was Ms Darby's view that the applicant had misled residents and Melton Parish Council through written correspondence that stated he was working with other landowners and had secured agreement to develop the two different sites comprehensively.

The unsuitability of St Andrew's Place as an access route was highlighted; Ms Darby described that the characteristics of the road made it impossible for construction traffic to pass through and highlighted the large number of cars parked on the road. Ms Darby noted that the majority of houses on St Andrew's Place did not have off-road parking and that the green spaces that would be lost were used as play spaces by local children.

Ms Darby suggested that the Committee visited the site before determining the application. Ms Darby described St Andrew's Place as having a mixture of family homes and bungalows for older people and people living with disabilities. Ms Darby said that there was a genuine fear amongst residents for their safety and wellbeing due to the construction traffic that would pass through the area, considering there was a high risk of an incident involving residents and their property.

Ms Darby disagreed with the statement in the report which identified this risk as short-term, as the applicant had stated that the development would take place over five years.

Ms Darby concluded by listing the various organisations and large number of residents who had objected to the application and urged the Committee to refuse planning permission.

There being no questions to Ms Darby the Chairman invited Councillor Alan Porter, Chairman of Melton Parish Council, to address the Committee.

Councillor Porter considered that MEL20 allocated a site for a wide-ranging development that would provide additional benefits to the community and stated that

the application before the Committee was one solely for residential use. Councillor Porter said that the development would not deliver the community benefits and links required by MEL20 and also failed to meet the Suffolk Coastal Local Plan's policies on housing mix.

Councillor Porter raised concerns about the proposed access to the site and the lack of green spaces provided by the proposals.

It was Councillor Porter's view that the application failed on a number of matters, particularly on biodiversity and highway safety on the access route, and that these matters should be addressed at the outline stage and not at the reserved matters stage.

Councillor Porter concluded that the application was not policy compliant and urged the Committee to refuse planning permission.

There being no questions to Councillor Porter the Acting Chairman invited Mr Chris Dawson, the applicant, to address the Committee.

Mr Dawson noted that the site allocated in MEL20 had been planned for since 2007 with the inception of what is now Riduna Park; Mr Dawson considered that this development had not been initially welcomed but had proved to be a success, with both East Suffolk Council and Melton Parish Council occupying buildings on the site.

Mr Dawson described the application as being the next phase in developing the site allocated in MEL20 and that the scheme had been developed with input from both councils and residents. The proposals would deliver 55 houses at a low density, along with wildlife areas that would be professionally maintained and provide open spaces for everyone in Melton.

Mr Dawson wanted to see the whole site developed as allocated in full, but acknowledged that the development needed to be phased. Mr Dawson considered that phase one had been delivered at Riduna Park, as promised, and this application was a commitment to developing phase two.

It was confirmed by Mr Dawson that 18 affordable housing units would be included in the development and a Section 106 Agreement would be put in place. Mr Dawson said that it was not a national housebuilding company carrying out the development and that local tradespeople would be contracted to deliver the housing on the site.

Mr Dawson sought approval of the application to secure the principle of development on the site, ahead of a Section 106 Agreement being put in place.

There being no questions to Mr Dawson the Acting Chairman invited Councillor Rachel Smith-Lyte, Ward Member for Melton, to address the Committee.

Councillor Smith-Lyte referred to a letter from the applicant to Melton Parish Council in 2017, included in the update sheet, which had been part of the Melton Neighbourhood Plan examination process; she highlighted that the letter stated that the applicant had entered into formal agreements with other landowners regarding access to the site.

Councillor Smith-Lyte considered that this letter had misled Melton Parish Council and as a result, the Melton Neighbourhood Plan needed to be revisited.

Councillor Smith-Lyte also objected to the site's height being increased by nine metres to level the site and make it viable, as this would impinge on the dwellings on St Andrew's Place abutting the development site.

It was considered by Councillor Smith-Lyte that the proposals had already caused significant stress to residents of St Andrew's Place, who had a right to live in peace and quiet. Councillor Smith-Lyte was also concerned about the environmental impact of the development and weighed this against the climate emergency that had been declared by East Suffolk Council. Councillor Smith-Lyte highlighted the concerns of Suffolk County Council as the Highways Authority and suggested that a site visit be undertaken.

The Acting Chairman invited questions to Councillor Smith-Lyte.

A member of the Committee queried Councillor Smith-Lyte's statement that the height of the site would be increased and sought clarification on this matter; on the invitation of the Acting Chairman the Head of Planning and Coastal Management said he was not aware of any plans to raise the height of the site to level it and this was corroborated by Mr Dawson.

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

A member of the Committee commended the applicant for the inclusion of open spaces but considered that they needed to be more adventurous in terms of the access to the site and should consider reviewing the layout and/or location of dwellings at the access point. The Member said he was not against a site visit taking place, but was not proposing one.

Another member of the Committee highlighted that the application was for outline planning permission, to establish the principle of development on the site, with all other matters reserved. The Member considered that the objections raised were in relation to planning matters that would be dealt with under any reserved matters application.

It was noted by the Member that concerns had been raised about a lack of comprehensive development on the allocation site; he stated that MEL20 did not require the site be developed in such a way and that the principle of piecemeal development had been established with the development of Riduna Park.

The Member concluded that MEL20 allocated this area of the allocation site for residential development, which was what the application sought; he was in favour of the application and stated that he would be happy to approve it.

Several members of the Committee spoke on their concerns about the proposed access via St Andrew's Place. It was noted by one member that the access was part of the application being considered and was the only area of it that caused him concern,

suggesting that alternative access should be considered by the applicant. Several members of the Committee said that, due to the unsuitability of the proposed access, they could not support the application.

The Head of Planning and Coastal Management addressed the Committee regarding the proposed access; he highlighted that Suffolk County Council as the Highways Authority had not formally objected to the application but held concerns about the access during construction. The Head of Planning and Coastal Management advised the Committee that, in his view, there were no substantive grounds to refuse the application on the proposed access and asked the Senior Planner to provide further information on the highways impact of the proposals.

The Senior Planner advised that MEL20 did not require the site to be directly accessed from the A1152 and noted that the Riduna Park development was accessed from Station Road, which in turn was accessed from the A1152. The Senior Planner detailed the comments of the Highways Authority regarding access to the site and its concerns regarding construction traffic and the improvements to the Melton crossroads that would be required to mitigate the additional traffic passing through it.

There being no further debate the Acting Chairman moved to the recommendation that authority to approve the application be delegated to the Head of Planning and Coastal Management, as set out in the report and including the additional conditions proposed in the update sheet.

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

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to no objections being received from Natural England and/or Suffolk County Council as Lead Local Flood Authority, a Section 106 Agreement detailing Highways Improvement works, affordable housing provision and a contribution to the Suffolk Coast RAMS and controlling conditions as detailed below.

Otherwise, **AUTHORITY TO REFUSE** be delegated to the Head of Planning and Coastal Management as contrary to National and/or Local Policy in respect of any of the above issues that cannot be overcome, as appropriate.

1. Application for approval of any reserved matters must be made within three years of the date of this outline permission and then; The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. Details relating to the layout, scale, appearance and landscaping of the site (the "reserved matters") shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. No part of the development shall be commenced until details of the accesses (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in its entirety prior to occupation. Thereafter the accesses shall be retained in their 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.

4. Before the development is commenced, 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.

5. 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.

6. Before the development is commenced details of the areas to be provided for storage and presentation 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.

7. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multimodal travel voucher.

Reason: In the interest of sustainable development as set out in the NPPF, and Policy SCLP7.1 of the East Suffolk Council - Suffolk Coastal Local Plan.

8. Before the development is commenced details of the areas to be provided for purposes of loading, unloading, manoeuvring and parking of vehicles 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: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

9. No part of the development shall be commenced until details of the proposed off-site highway improvements to St Andrew's Place as indicatively shown on drawing no. 4465- 0104 P05 have been 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 the occupation of any property.

Reason: To ensure that the off-site highway works are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety

10. 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 so as to not cause nuisance to occupiers of neighbouring properties.

Reason: In the interest of residential amenity.

11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (Huckle Ecology, July 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.

12. 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.

13. Commensurate with the first Reserved Matters application, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a. identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in

or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for Reptile Mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

15. Commensurate with the first Reserved Matters application a construction environmental management plan (CEMP: Biodiversity) will be submitted to and approved in writing by the local planning authority. No development shall take place (including demolition, ground works, vegetation clearance) until the CEMP (Biodiversity) has been approved. The CEMP (Biodiversity) shall be based on up to date ecological survey information and 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.

16. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior any 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

longterm 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.

17. Commensurate with the first Reserved Matters application 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 and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

18. 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 Policy SCLP11.7 of the Suffolk Coastal Local Plan and the National Planning Policy

Framework (2019).

19. 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 18 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of the Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).

20. Prior to the commencement of development of the site a Management Plan shall be submitted to the Local Planning Authority for approval in writing, detailing the mechanism for maintenance of all open and communal space within the site. The management of such shall be carried out in accordance with the approved details in perpetuity.

Reason: In the interest of the visual amenity of the site and to ensure proper maintenance.

21. Concurrently with the first submission of the reserved matters, a tree survey and any tree protection measures shall be submitted to and approved in writing by the local planning authority. Any tree protection measures identified shall be implemented and retained during construction.

Reason: To ensure appropriate protection of trees during construction in accordance with BS5837.

22. The mitigation measures identified in section 5.4 of the Air Quality Report referenced 15533- SRL-RP-YQ-01-S2-P1 in relation to construction dust shall be adhered to at all times during the construction phase.

Reason: in the interest of amenity and protection of the local environment – the dust arising from development could be significant given the earthworks required.

23. Concurrently with the submission of the reserved matters, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The electric vehicle charge points shall be installed and made available for use prior to occupation of the dwelling to which they relate and shall be retained.

Reason: to help reduce the impact on Local Air Quality.

24. Concurrently with the submission of the reserved matters a noise survey shall be submitted to assess the suitability of locating residential dwellings on the application site and where necessary make recommendations for layout, orientation or other noise

mitigation measures to ensure that the new housing does not suffer unreasonable loss of amenity (as a result of potential noise and disturbance from Bye Engineering, Brick Kiln Lane). The survey shall be undertaken by a competent person and shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours. All residential units shall thereafter be designed so as not to exceed the noise criteria based on BS8233 2014 given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in day time: 55 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAmax)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAmax)

Reason: To ensure that the new development can be integrated effectively with existing businesses such that unreasonable restrictions are not placed on existing businesses as a result of development.

25. Concurrently with the first submission of the reserved matters, a sustainable construction report shall be submitted to and approved in writing by the local planning authority. The report shall set out how the proposed development will comply with the requirements of Policy SCLP9.2. All details in the approved report shall be integrated into the development and retained in their approved form thereafter.

Reason: In the interests of mitigating climate change and to help achieve the objectives of the Suffolk Climate Action Plan

26. 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 (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} 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;
- d. 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;
- e. 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 rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

f. 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;

g. Details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site;

h. 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 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

i. 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.

Reasons: 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.

27. Within 28 days of practical completion of the last dwelling, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA 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 within the county of Suffolk

Informatives:

1. The Local Planning Authority has assessed the proposal against all material

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

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

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

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. 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).

The presence of several watercourse which have not been adopted by the Board (a riparian watercourse) adjacent to the Eastern and Southern site boundaries are noted. If (at the detailed design stage) the applicant's proposals include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Note: following the conclusion of this item, the Acting Chairman adjourned the meeting for a short break. The meeting was adjourned at 3.04pm and was reconvened at 3.10pm.

Note: Katherine Scott re-joined the meeting at the beginning of this item.

Note: during the adjournment that preceded this item, Councillor Chris Blundell lost connection to the meeting.

The Committee received report **ES/0715** of the Head of Planning and Coastal Management, which related to planning application DC/20/1521/FUL.

The application proposed a Care Village comprising an 80 bedroom care home together with 72 assisted care bungalows, cafe/club house, bowling green, car parking, open space provision with associated infrastructure and access on land Off Yarmouth Road, Melton, Woodbridge.

The site was a greenfield site within the countryside and therefore was outside of the defined Settlement Boundary of Melton Village. The proposed development was therefore contrary to national and local policy, including that within the Melton Neighbourhood Plan, which seeks to promote sustainable forms of development.

The site was considered to be not well located in relation to services and facilities and did not provide adequate links to such services which would be accessible to residents by means other than a private vehicle. Officers considered that the proposal would also result in an adverse impact on the character and appearance of the area, would not provide for affordable housing or have adequate on-site drainage, and that the benefits arising from the development would not outweigh the harm that had been identified.

Given the significant issues identified above, the application had been referred to the Committee for determination by the Head of Planning and Coastal Management.

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

The site's location was outlined, along with its relationship with the Melton parish boundary.

The Committee was shown photographs of the site access and looking north along Yarmouth Road.

A video taken from the middle of the site looking out, providing a 360 degree view, was played to the Committee.

Note: Councillor Blundell was able to re-join the meeting at this point (3.15pm) and the Acting Chairman confirmed with him that he had only missed a small portion of the opening to the case officer's presentation. As Councillor Blundell had read the report prior to the meeting, and had not missed any information pertaining to the application that he was unaware of, the Acting Chairman stated that he could take part in the debate and determination of the item.

The proposed block plan was displayed and outlined to the Committee. It was noted by the Senior Planner that the former quarry on the site would be left as it was and

that a landscape buffer would be added to the western boundary of the site, which did not presently have any defining features.

The Committee was shown the proposed elevations and floor plans for the bungalows, the almshouses, the cafe/clubhouse building, and the care home.

The main considerations and key issues were summarised as the principle of development (including location and accessibility of services and facilities), the provision of specialist accommodation, design, landscape impact, and affordable housing.

The Committee was shown examples of the walking route from the site to the village of Melton; the Senior Planner highlighted the unsuitability of these routes for the age of residents proposed for the site.

The recommendation to refuse the application, as set out in the report, was outlined to the Committee. The Senior Planner identified the additional reasons for refusal, set out in the update sheet.

The Acting Chairman invited questions to the officers.

The former quarry site was described as having a steep gradient but being well shielded by vegetation; the Senior Planner considered that there was a very low risk of residents being able to accidentally fall into the former pit.

The Senior Planner highlighted the planning history on the site, as set out in paragraph 2.2 of the report.

It was confirmed that the site would be expected to provide affordable housing units.

The Acting Chairman advised that prior to the meeting the Chairman of the Planning Committee South, Councillor Debbie McCallum, had exercised her discretion to allow more than one parish council to address the Committee on the application as the proposed development was of such magnitude that it would affect both Melton and the neighbouring parish of Ufford.

The Acting Chairman invited Councillor Nigel Brown, representing Melton Parish Council, to address the Committee.

Councillor Brown noted that the site was defined as being in the countryside and outside of Melton's settlement boundary; he considered the application to be contrary to both national and local policy and highlighted that residents would be reliant on private transport to access services. Councillor Brown considered that the proposed walking routes would not be suitable for the age group the accommodation would be aimed at.

Councillor Brown said that the Ipswich and East Suffolk Clinical Commissioning Group (IESCCG) had recently raised concerns about the capacity in the local Primary Care Health Network and this development would add to that strain.

Councillor Brown concluded that the development would have an adverse impact on the area and would join up the villages of Melton and Ufford, and urged the Committee to refuse the application.

There being no questions to Councillor Brown, the Acting Chairman invited Councillor Kathryn Jones, Chair of Ufford Parish Council, to address the Committee.

Councillor Jones highlighted that both the Parish Council and many residents had objected to the application; she noted that the site was in the countryside and was contrary to national and local planning policies and approving the application would make nonsense of the work that had gone into producing these plans.

It was Councillor Jones' view that the development of an open agricultural field would urbanise the landscape and erode the green belt between Melton and Ufford, which was an area enjoyed by local residents. Councillor Jones added that residents had also raised concerns about the effect of the development on local infrastructure and services that were already at capacity.

Councillor Jones considered that the site would be heavily reliant on private transport, both for residents and those visiting the site, and that the transport assessment submitted by the applicant grossly underestimated the traffic that would be generated by the site, in particular the impact on the approach to the A12 via Ufford and the Melton crossroads.

Councillor Jones highlighted that care provision in the area was said to be sufficient and noted the IESCCG had stated that the Primary Care Health Network would not be able to take on the additional residents on the site.

Councillor Jones stated that the site's isolation was contrary to AgeUK's guidance on residential site location, which said that such sites should be close to services and better integrated with the community. Councillor Jones asked the Committee to refuse the application.

There being no questions to Councillor Jones the Acting Chairman invited Mr Richard Brown, agent for the applicant, to address the Committee.

Mr Brown noted that the report set out the various reasons that officers considered the proposals to be contrary to planning policies and said that he sought to address these. Mr Brown said that the proposals responded to an acute need for care home accommodation as identified in the Suffolk Coastal Local Plan, which had been endorsed by East Suffolk Council. Mr Brown considered that as the Suffolk Coastal Local Plan did not contain an allocation for such accommodation, substantial weight should be given to the proposals in the planning balance.

Mr Brown challenged the statements made about the capacity of the Primary Care Health Network and said that the applicant had consulted with local surgeries, who were all accepting new patients.

With regard to transport, Mr Brown said that the age limit for residents would be 75 years old and it was intended that residents would use the local bus service or a

minibus service (to be provided by the site operator) to access local services. Mr Brown said that affordable housing units would be provided on the site, contrary to what was stated in the report.

Mr Brown noted that Mr Anthony Prendergast, representing the applicant, was also in attendance to answer any questions the Committee had, and highlighted that the applicant operated a successful facility in Carlton Colville.

The Acting Chairman invited questions to Mr Brown and Mr Prendergast.

Mr Brown cited paragraph 5.42 of the Suffolk Coastal Local Plan as identifying the need for older persons accommodation, in particular noting the number of retirement homes set out in table 5.2. Mr Brown also highlighted that if surgeries in the area were full, there was a process set out in the NHS handbook that they were required to follow. In response, the Head of Planning and Coastal Management highlighted that paragraph 5.43 of the Local Plan set out that this type of accommodation should be delivered on allocated sites as opposed to greenfield sites.

In response to a question from a member of the Committee, the Head of Planning and Coastal Management acknowledged that although local surgeries may be taking on new patients this did not mean there was not a capacity issue in the Primary Care Health Network.

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

Councillor Smith-Lyte said that she had visited the site in the winter, as well as speaking to the farmer currently tending to the land, and had identified that there had been significant flooding issues on the site during the winter. Councillor Smith-Lyte considered that the development of the site would exacerbate the issue.

It was noted by Councillor Smith-Lyte that the nearby St Audrys Lane and Lodge Farm Lane were both about to be designated as Quiet Lanes and that any construction traffic in the area would be at odds with this.

Councillor Smith-Lyte stressed the need for growing land, given that the UK currently imports 45% of its food, and noted that the site was greenfield and not allocated for development in the Melton Neighbourhood Plan.

Councillor Smith-Lyte was concerned about the impact of tree felling for wildlife on the site along with the lack of infrastructure and links to services. Councillor Smith-Lyte considered that residents would not want to remain on the site all the time and highlighted that services were not in walking distance.

There being no questions to Councillor Smith-Lyte, the Acting Chairman invited the Committee to debate the application that was before it.

A member of the Committee spoke at length on the application, noting that although there was a need for the type of accommodation proposed at both the national and local level, this was not a valid reason to take the application out of context to planning

policy. The Member acknowledged that there were, on occasion, reasons to depart from planning policy when rational and plausible to do so, but did not consider it to be the case in this instance.

The Member summarised that the application was contrary to national and local policies for a variety of reasons, including its location in the countryside, not meeting exception criteria for development outside the settlement boundary and being isolated from local services.

Several other members of the Committee concurred that the application was contrary to several policies in the Suffolk Coastal Local Plan and could not support it.

There being no further debate the Acting Chairman moved to the recommendation to refuse the application, as set out in the report and including the additional reasons for refusal contained in the update sheet.

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

RESOLVED

That the application be **REFUSED** for the following reasons:

1. The application proposes the development of a care home and 72 assisted care bungalows with associated infrastructure falling within Class C2 of the Town and Country Planning (Use Classes) Order (1987). The site is located within the Parish of Melton, approximately 750 metres north of the defined physical limits boundary.

The application site is therefore located in the countryside. Policy MEL1 of the Melton Neighbourhood Plan (made January 2018) seeks to focus development within the defined physical limits boundary and does not support development outside of this unless the development would be in accordance with a Local Plan Policy relating to appropriate uses within the countryside or where it proposes necessary utility infrastructure. The Local Plan supports this position aiming to deliver development that reflects the character of the area and contributes towards sustainable development.

The location of the application site, outside of and detached from the defined physical limits boundary of Melton is therefore contrary to Policy MEL1 of the Melton Neighbourhood Plan and SCLP3.2 and SCLP3.3 of the East Suffolk Council - Suffolk Coastal Local Plan (September 2020).

2. The location of the application site, detached from the centre of Melton and therefore the services and facilities provided within the settlement results in an unsustainable location for development. This is due to the distance from these services and facilities in Melton village and the undesirable connections to the site for pedestrians and cyclists. The footpath connection between the site and village is narrow and uneven with limited lighting and pedestrians would be forced to cross Yarmouth Road with no crossing facilities. These factors make it particularly undesirable for vulnerable road users. For cyclists, the unlit route and hill would make the journey difficult and undesirable. The Local Plan seeks to encourage development

in locations where people can easily access services and facilities and where there is a choice of transport modes including walking, cycling and public transport.

The proposal is therefore contrary to paragraphs 108 and 110 of the National Planning Policy Framework which seeks to ensure appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location, give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas and address the needs of people with disabilities and reduced mobility in relation to all modes of transport. It is also contrary to Policy SCLP7.1 of the East Suffolk Council - Suffolk Coastal Local Plan (September 2020) which requires development to provide safe pedestrian and cycle access to services and facilities.

3. The proposed development would be located on an undeveloped site that falls within the Ancient Rolling Farmlands, which recommends that planning for future village expansion should carefully aim to retain character and settlement patterns. The site, and surrounding farmland around the east and north of Woodbridge is identified as having a pleasant rural character. Development of the site for a care home and associated bungalows would result in a major adverse effect on landscape character in the local area, result in the erosion of the valued rural separation of Melton and Ufford and that which provides a rural setting to the parkland element of the Melton Conservation Area and erode visual amenity for visual receptors on the Public Rights of Way network around the site. The proposed development is therefore contrary to East Suffolk Council - East Suffolk Council Local Plan policies SCLP10.4: Landscape Character and SCLP10.5: Settlement Coalescence.

4. The application proposes residential development in the form of bungalows and Almshouses. Policy SCLP5.10 of the East Suffolk Council - Suffolk Coastal Local Plan requires that applications for residential development with capacity for ten units or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people. The proposal does not make provision for any of the 72 units to be provided in an affordable form and therefore the proposal is contrary to SCLP5.10.

5. The development does not propose any one-bedroomed extra-care dwellings, despite the Suffolk Coastal Local Plan evidence (Table 5.2) showing that this is the predominant need and that SCLP5.8 stating that extra-care accommodation will be supported where it incorporates a mix of tenures and sizes. The proposal also does not ensure that all the extra-care accommodation would be delivered to accessible and adaptable standards (under Part M4(2) of the Building Regulations). The proposal is therefore contrary to SCLP5.8 (Housing Mix) of the Suffolk Coastal Local Plan (2020).

6. The development falls within the recreational disturbance Zone of Influence for the following Habitats Sites (European designated sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), Deben Estuary SPA and Ramsar, Sandlings SPA, Alde-Ore Estuary SPA and Ramsar, Alde, Ore and Butley Estuaries Special Area of Conservation (SAC) and Orfordness-Shingle Street SAC. Local Plan policy SCLP10.1 seeks to support regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended) where

proposals that would cause a direct or indirect adverse effect on the integrity of Habitats Sites (either alone or in-combination with other plans or projects) will not be permitted.

The application does not secure the required contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or, alternatively, provide information to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites, arising from the potential disturbance caused by additional visitors to them, without this mitigation. It therefore cannot be concluded that the development will not result in an adverse effect on the integrity of Habitats Sites and therefore the proposals are considered contrary to Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document (covering the former Suffolk Coastal Local Planning Authority area) policy SCLP10.1 and Section 15 of the NPPF.

7. The proposal fails to make adequate provision/contributions (and/or agreement to provide) for facilities/services for the occupants. The applicant has not entered into the necessary legal agreement, which is required to ensure the following necessary mitigation and policy requirement are secured:

- The provision of a third of the dwellings as affordable housing (Policy SCLP5.10 of the Local Plan)
- On site provision of appropriate recreation space and financial contribution towards the Recreational Avoidance Mitigation Strategy.
- Delivery and management of open space and communal areas
- Care package/occupation restrictions
- Potential requirement for financial contribution to CCG.

Note: Councillor Smith-Lyte left the meeting at the conclusion of this item.

8 DC/20/4519/FUL - Land to the South of 47 Oxford Drive, Woodbridge, IP12 4EH

The Committee received report **ES/0716** of the Head of Planning and Coastal Management, which related to planning application DC/20/4519/FUL.

The application sought full planning permission for the erection of a pair of semi-detached two-storey market dwellings and associated works on land forming part of the curtilage of 47 Oxford Drive, Woodbridge.

The site benefitted from extant permission (DC/19/1646/OUT: Outline Application with All Matters Reserved) for the construction of two market dwellings.

The referral process was triggered in accordance with the Council's Scheme of Delegation, set out in the East Suffolk Council Constitution, as the 'minded to' decision of the Planner was contrary to Woodbridge Town Council's recommendation to refuse due to concerns relating to parking and highway safety.

The application was therefore presented to the Referral Panel on Tuesday 23 February 2021 where Members considered that the potential impacts resulting from the loss of green space on the character of the area warranted debate at Committee.

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

the application.

The site's location was outlined, and an aerial view of the site was displayed. The site was currently used as private amenity land for the host dwelling.

Photographs were displayed that demonstrated views towards the host dwelling, views along Christchurch Drive and a view from the rear of the site.

The proposed block plan, elevations and floor plans were shown to the Committee.

The Planner detailed the extant consent on the site and displayed the corresponding block plan. The new application was described as a notable improvement, in that it would provide two additional parking spaces to the rear of both the existing and proposed dwellings, thus making the scheme policy compliant in this regard.

The main considerations and key issues were summarised as two additional three-bedroom dwellings within the settlement boundary, a compliant level of parking provision for both the existing and proposed dwellings, the loss of private amenity land, and the visual impact on the street scene and local character.

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

The Chairman invited questions to the officers.

The Committee was shown drawings that demonstrated where private amenity land would be retained on the site.

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

A member of the Committee considered that the application appeared to be a cramped form of development and queried why two dwellings were being proposed for the site.

Another member of the Committee highlighted the extant consent on the site and was of the view that if the new application was an improvement it should be approved.

It was noted by a member of the Committee that both the existing and new dwellings would have sufficient amenity land, would be parking policy compliant; he considered that the development would not adversely impact on the street scene.

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

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

RESOLVED

That the application be **APPROVED** with appropriate planning conditions, as set out below.

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawing(s):

- 01 Rev PL1 (Location plan);
- 02 Rev PL1 (Floor plans as proposed);
- 03 Rev PL1 (Elevations as proposed);
- 05 Rev PL3 (Site plan as proposed);
- 04 Rev PL1 (Site plan as existing).

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

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

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

4. 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.

5. The areas to be provided for storage of Refuse/Recycling bins as shown on approved drawing no. '05 Rev PL3' shall be provided in their 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.

6. The use shall not commence until the area(s) within the site on approved drawing no. '05 Rev PL3' for the purposes of Loading, Unloading, manoeuvring and parking of vehicles and cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purpose.

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

7. The use shall not commence until details of the infrastructure to be provided for electric vehicle charging points has been 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.

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

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

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>

9 DC/20/5045/FUL - Land at Manor Farm, The Manor House Estate, Bawdsey, IP12 3AL

The Committee received report **ES/0717** of the Head of Planning and Coastal Management, which related to planning application DC/20/5045/FUL.

The application proposed the erection of three, detached dwellings. The application site is located outside of the defined settlement boundary of Bawdsey and therefore in the countryside.

The application was before the Committee as the application was advertised as a departure from policy. Both Bawdsey Parish Council and Councillor James Mallinder, the Ward Member, had objected to the proposal.

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

The site's location was outlined, and the Committee was shown its relationship to the Bawdsey settlement boundary. The Senior Planner highlighted the site being part of a built-up settlement in the countryside.

Photographs were displayed demonstrating views along The Street, views into the site, and a view of how the site would link to neighbouring development via an existing pathway.

The layout plan, proposed elevations and floor plans and the proposed street scene were displayed.

The main considerations and key issues were summarised as the principle of residential development in the countryside, the design and visual impact, the impact on residential amenity, and highways.

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

The Acting Chairman invited questions to the officers.

The Senior Planner confirmed that although the landowner of the site and the neighbouring development was one and the same, the developer was not the same for this application. It was noted that the development was not being used to make the affordable housing of the neighbouring development viable.

The Senior Planner clarified the standard conditions recommended by Suffolk County Council as the Highways Authority.

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

Mr Wells advised that he had worked with the landowner and applicant for the neighbouring development on what was considered the first two phases of development in the area, which was providing 15 affordable housing units. Mr Wells considered that the application before the Committee was a reasonable development of leftover land adjacent to the site.

Mr Wells acknowledged the comments of Bawdsey Parish Council and confirmed that Orwell Housing were aware of the development and did not object to it. The dwellings would meet building regulations and be installed with environmentally friendly heating solutions, and the site would link well with the wider area.

It was Mr Wells' view that the site could not be used as agricultural land and was already linked to the neighbouring development via an existing footpath. Mr Wells considered that the proposed scheme would be a positive addition of three open market houses, complete the street scene and provide more housing in the area. Mr Wells welcomed the recommendation to approve the application.

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

A member of the Committee considered that the application was a good example of a situation where it was prudent to depart from planning policy and agreed with the argument for approval made by the Senior Planner in the report. The Member noted that this would provide three open market dwellings in the area to go alongside the affordable housing and would form a cohesive street scene.

Another member of the Committee expressed reservations about the application, as it was development in the countryside. The Member acknowledged how the site would link to existing development but considered continued development in the countryside would erode it and that this development could set a precedent for further construction in the area.

The Senior Planner clarified that, although similar, the development was not considered to be within an existing cluster of existing housing in the countryside, as defined by policy SCLP5.3 of the Suffolk Coastal Local Plan, as part of the housing fell within the settlement boundary of Bawdsey. The Senior Planner considered that the proposed development would be infill and would not further extend development into the countryside.

A member of the Committee was satisfied with the proposal, given its relationship to the existing development.

There being no further debate the Acting Chairman moved to the recommendation to

delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

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

RESOLVED

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management subject to the receipt of a contribution to the Suffolk Coast RAMS and controlling conditions.

Otherwise, **AUTHORITY TO REFUSE** be delegated to the Head of Planning and Coastal Management as contrary to policy SCLP10.1 of the Suffolk Coastal Local Plan.

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 nos. PL04, PL05A and PL06A and Phase 1 Environmental Report, Ecology Report and Design and Access Statement received 9 December 2020 and drawing nos. PL01B, PL02B and PL03B and Heritage Impact Assessment received 6 January 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, October 2020).

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 development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Local Plan policy SCLP11.7 and the National Planning Policy Framework (2019).

7. 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 6 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 Local Plan Policy SCLP11.7 and the National Planning Policy Framework (2019).

8. Prior to the commencement of development, a copy of the Heritage Impact Assessment shall be deposited with the Suffolk County Council Historic Environment Record. Within one week of this being done, confirmation of this shall be sent, by email, to the local planning authority.

Reason: To ensure that the non-designated heritage asset is recorded.

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

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

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

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

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

10. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. DM01; and with an entrance width of 4.5 metres and been made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

11. Prior to the dwellings hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway and shall be retained

in this form thereafter.

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

12. Before the development is commenced details shall be submitted to and approved in writing by the County 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.

13. Before the access is first used visibility splays shall be provided as shown on Drawing No. PW1107_PL03 Rev. B 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 in order to take avoiding action.

14. The use shall not commence until the area within the site on dwg. no. PW1107_PL03 Rev. B 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 enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

15. Before any of the dwellings hereby permitted are occupied, details of the areas to be provided for the 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 promote sustainable transport choices.

16. Within 6 months of commencement of development, 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 shall be submitted to and approved in writing by the local planning authority.

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

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

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

18. The pill box, as shown on drawing no. PL03B shall be retained undisturbed.

Reason: In the interest of preserving the historic structure: it has been identified as a nondesignated heritage asset.

Informatives:

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

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

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

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/communityinfrastructurelevy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/communityinfrastructure-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@east Suffolk.gov.uk

4. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. 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-and-pay-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.

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

10 DC/20/5119/FUL - 175 Grange Road, Felixstowe, IP11 2PZ

The Committee received report **ES/0718** of the Head of Planning and Coastal Management, which related to planning application DC/20/5119/FUL.

The application sought permission to erect a part two-storey, part single storey rear extension and create a roof light for a sun tube.

The referral process was triggered in accordance with the Council's Scheme of Delegation, as set out in the East Suffolk Council Constitution, as the 'minded to' decision of the Planning Officer was contrary to Felixstowe Town Council's recommendation to refuse due to concerns relating to design and residential amenity.

The application was therefore presented to the Referral Panel on Tuesday 16 February 2021 where Members considered that the appearance of the dwelling may appear out of character to the area and there may also be possible impacts to residential amenity, and referred the application to the Committee for determination.

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

The site's location was outlined, and the Committee was shown aerial views of the site.

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

The Committee was shown computer-generated images of the proposed development which detailed the render wall finish that would be used.

Photographs demonstrating views in to and out of the site, highlighting its relationship to neighbouring properties, were displayed.

The main considerations and key issues were summarised as the design and residential amenity.

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

The Acting Chairman invited questions to the officers.

The Trainee Planner advised that there would be minimal impact on light to neighbouring properties; at most there would be a minor impact between 1pm and 2pm.

The Acting Chairman invited Mr Massimo Farina, the applicant, to address the Committee.

Mr Farina acknowledged that he had previously focused on the design of the build and not the finish; he considered that he had responded to the concerns raised by Felixstowe Town Council and had removed the cladding originally proposed and had worked to improve the proposed scheme.

Mr Farina confirmed that he made amendments to the height and massing of the extension, as recommended by Planning officers, and had taken into consideration the size of the extension in relation to neighbouring properties. Mr Farina considered that he had interpreted the planning guidance he had been provided.

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

A member of the Committee, who was also Ward Member for Western Felixstowe, addressed the concerns raised by Felixstowe Town Council. He noted that the cladding had been removed and accepted the outcome of the light survey contained in the report, but remained concerned about the height and massing of the proposed development.

The Member considered that the proposals were contrary to policies SCLP11.1 and SCLP11.2 of the Suffolk Coastal Local Plan, regarding design quality and residential amenity; he was of the view that development would be incongruous to the area and, although he remained open minded, acknowledged this could form a reason for refusal.

Several other members of the Committee expressed concerns about the height and massing of the proposed development; one Member said that if he was a neighbour he would not like what was being proposed.

Another member of the Committee remained concerned about the potential light loss that would be caused to neighbouring properties and that the massing of the extension would set a precedent.

It was proposed by Councillor Bird that the application be refused on the grounds that the scale and massing proposed is contrary to policies SCLP11.1 (sub-paragraph c, sub-point 3) and SCLP11.2 (sub-paragraph e) of the Suffolk Coastal Local Plan, regarding design quality and residential amenity.

Councillor Bird's recommendation to refuse the application was seconded by Councillor Beavan.

The recommendation to refuse the application was put to the vote and it was by a majority vote

RESOLVED

That the application be **REFUSED** on the grounds that the scale and massing proposed is contrary to policies SCLP11.1 (sub-paragraph c, sub-point 3) and SCLP11.2 (sub-paragraph e) of the Suffolk Coastal Local Plan, regarding design quality and residential amenity.

Note: Councillor Beavan left the meeting at the conclusion of this item.

11 Quality of Place Awards 2020

Councillor David Ritchie, the Cabinet Member with responsibility for Planning and Coastal Management, introduced a short presentation on the 2020 Quality of Place Awards.

Councillor Ritchie outlined that the awards were split into four categories:

- Community
- Landscape
- Conservation
- Design

Councillor Ritchie, as Chairman of the judges of the awards, thanked Peter Hill, Pat Shepard, Tony Redmond and John Lamont for giving their time as judges of the awards.

Councillor Ritchie also thanked both the Planning Quality Outcomes Officer and the Design and Conservation Officer for organising the awards and invited the Design and Conservation Officer to give a short presentation to the Committee on the awards.

The Committee received a presentation that outlined the award winners and developments that had been commended, as detailed below:

COMMUNITY

Highly Commended - St Michael's Church, Beccles
Winner - Westleton Village Hall, Westleton

LANDSCAPE

Winner - Sibton Park, Sibton

CONSERVATION

Highly Commended - Moot Hall, Aldeburgh
Highly Commended - Stanaway Farmhouse, Otley
Winner - Wingfield House, Saxmundham

DESIGN

Highly Commended - CEFAS, Lowestoft
Joint Winner - Gainsborough House, Nacton
Joint Winner - Pightle House, Ufford

The Design and Conservation Officer advised that nominations for the 2021 Quality of Place Awards would open in early April 2021.

The Acting Chairman invited questions to Councillor Ritchie and the officers.

Councillor Ritchie stated that it would be helpful if Members could promote the Quality of Place Awards in their Wards to assist in generating more community projects being nominated in that category.

The Acting Chairman thanked Councillor Ritchie and the officers for their presentation.

The meeting concluded at 4:53pm

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Chairman