

Confirmed



Minutes of a Meeting of the **Planning Committee North** held via Zoom, on **Tuesday, 10 November 2020** at **2:00 pm**

Members of the Committee present:

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

Other Members present:

Councillor Peter Byatt, Councillor Tony Cooper, Councillor Janet Craig, Councillor Debbie McCallum, Councillor David Ritchie

Officers present:

Liz Beighton (Planning Manager), Joe Blackmore (Principal Planner), Mark Brands (Planning Officer), Sarah Davis (Democratic Services Officer), Matthew Gee (Planner), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner), Melanie Seabrook (Planner (Policy and Delivery))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Andree Gee; Councillor Tony Cooper attended as her substitute.

2 Declarations of Interest

Councillor Jenny Ceresa declared a Local Non-Pecuniary Interest in Item 5 of the agenda as the Suffolk County Councillor for the Lowestoft South Division, and a Local Non-Pecuniary Interest in Item 8 of the agenda as Ward Member for Carlton Colville.

Councillor Malcolm Pitchers declared a Local Non-Pecuniary Interest in Item 5 of the agenda as Ward Member for Kirkley and Pakefield.

Councillor Craig Rivett declared a Local Non-Pecuniary Interest in Item 5 of the agenda as the Chairman of the London Road, Lowestoft High Street Heritage Action Zone, a Local Non-Pecuniary Interest in item 8 of the agenda as Ward Member for Carlton Colville, and a Local Non-Pecuniary Interest in Item 9 of the agenda as both the Suffolk County Councillor for the Pakefield Division and a member of the Lowestoft Flood Risk Management Project Board.

3 Declarations of Lobbying and Responses to Lobbying

There were no declarations of lobbying.

4 Enforcement Action - Case Update

The Committee received report **ES/0557** of the Head of Planning and Coastal Management. The report 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 October 2020. At the time of the report's publication there were 15 such cases.

The Assistant Enforcement Officer stated that a site visit to Willow Farm, Chediston Green, Chediston, had confirmed that compliance had been achieved on the site.

The Planning Manager advised the Committee that a short extension of time to achieve compliance had been given at The Stone House, Low Road, Bramfield, as following a site visit it had been established that there had been difficulties to arrange the specialist removal of all of the refrigeration units due to the COVID-19 pandemic.

The Committee was advised that a recent site visit to Pine Lodge Caravan Park, Hazels Lane, Hinton, showed no continued occupation of the site.

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

On the proposition of Councillor Rivett, seconded by Councillor Ceresa it was by unanimous vote

RESOLVED

That the report concerning Outstanding Enforcement matters up to 26 October 2020 be received.

Due to a procedural issue, and for the avoidance of doubt, the vote on this item was re-taken following the conclusion of item 5 of the meeting.

5 DC/20/1352/FUL - Royal Court Hotel, 146 London Road South, Lowestoft

The Committee received report **ES/0558** of the Head of Planning and Coastal Management, which related to planning application DC/20/1352/FUL.

The application sought full planning permission for the re-development and extension of the former Royal Court Hotel to provide 15 residential flats, and a café at ground floor level.

A scheme for 16 residential flats and a ground floor café was considered by the Committee at its meeting on 13 October 2020, where a decision was deferred to allow officers to negotiate with the applicant and their agent on changes to the proposed plans to address key concerns raised by members. Those concerns were around three issues: size of the proposed flats and resultant living conditions; bin provision, storage and presentation; and car parking provision. Since the deferral, the applicant/agent had engaged positively with officers and an amended scheme had thus been brought forward for consideration.

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

The site's location was outlined, and the Committee was shown an aerial view of the site that demonstrated its relationship with nearby buildings.

The Committee was shown photographs that displayed the frontage of the site, its relationship to the neighbouring Kirkley Centre and adjacent buildings to the north, the view towards the site from the surface car park, views from the site to the north and the south, and the frontage of the site to London Road South.

The proposed block plan was displayed. The Principal Planner outlined the agreement that the applicant had made with East Suffolk Norse for refuse collection; waste will be collected by East Suffolk Norse directly from the site, similar to commercial collections, and residents would not be required to present bins on London Road South.

The proposed floor plans were presented; the key changes were on the first floor where the reduction in the number of flats by one had resulted in an increase of the gross square metre area of the other flats on that floor.

The proposed elevations were displayed, and the Principal Planner outlined minor changes that had been made to the fenestration.

The Committee was provided with interior design concept images submitted by the applicant, which gave an indication of the standard the applicant would be working to.

The Principal Planner outlined the additional parking that would be provided for residents at East Suffolk Council car parks through a corporate subscription via the RingGo system.

The material planning considerations and key issues were summarised as the amended scheme (the floor area of the flats, waste management, car park provision), change of use and Kirkley District Centre, design and heritage considerations, residential amenity, affordable housing and Vacant Building Credit, flood risk, highways, parking and sustainable transport, and regeneration and public benefits.

The amended recommendation to approve, as set out in the update sheet, was outlined to the Committee.

The Chairman invited questions to the officers.

The Principal Planner explained that Vacant Building Credit had been applied to the scheme as the building had been vacant for over ten years. The result was that the site was required to provide less than one whole affordable unit; this had been rounded up to a single unit and the applicant had agreed that this would be delivered at an alternative site.

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

Mr Douglass advised that the applicant, along with officers, had considered the original scheme had been in accordance with national and local policies; he noted that the applicant had taken onboard the concerns expressed by the Committee in respect of the application and had

amended the scheme, reducing the number of flats from 16 to 15. Mr Douglass noted that this reduction resulted in units on the first floor increasing in size.

Mr Douglass highlighted that, despite the reduction by one unit, eight car parking spaces had been retained on site by the applicant which exceeded the parking ratios required by the Highways Authority. The applicant had also signed up to a corporate package with RingGo to provide further spaces off-site in nearby East Suffolk Council car parks.

Mr Douglass explained that an agreement had been made in principle with East Suffolk Norse regarding waste management; larger bins would be provided and waste would be collected directly from the site on a weekly basis.

The proposed cafe on the ground floor would offer healthy eating options to residents and the wider community, which Mr Douglass said met the objectives of paragraph 91 of the National Planning Policy Framework (NPPF) regarding access to healthy food.

Mr Douglass considered that the scheme was uniquely sited for workers in the offshore and nuclear energy industry and highlighted the number of jobs in those industries expected to come forward in the local area. Mr Douglass added that should this demand not come forward the site stood up on its own as an open market scheme.

The Chairman invited questions to Mr Douglass. The Chairman noted that Mr Khan, the applicant and Mr Orford, the architect, were also present to answer questions.

Mr Khan confirmed that he intended to retain as many original features of the building as possible and would commit to retaining the sash windows at the front of the property.

Mr Khan confirmed that the flats would be offered unfurnished.

The Chairman invited Councillor Peter Byatt, Ward Member for Kirkley and Pakefield, to address the Committee.

Councillor Byatt was in favour of improving the site and thanked the applicant for listening to concerns and amending the scheme; he sought clarification regarding bin storage and collection locations. The Principal Planner confirmed that collections could be from Wellington Esplanade but would most likely be from London Road South.

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

Members of the Committee were supportive of the application and considered the scheme would be an asset to the area. Members acknowledged that the applicant had taken onboard the Committee's concerns and had made amendments to the scheme to address these issues.

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

When proposing the recommendation, Councillor Ceresa suggested that an additional condition be added to ensure that the existing sash windows in the front elevation of the building be retained and this was agreed.

On the proposition of Councillor Ceresa, seconded by Councillor Pitchers it was by unanimous vote

RESOLVED

That the application be **APPROVED** subject, but not limited to, the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: Drawing Nos. 1854-00-10, -1854-00-11, 1854-00-12, 1854-00-13, 1854-00-14 received 18 August 2020; and Site Location Plan Drawing No. 1726-002, received 31 March 2020.

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

3. No development shall take place until precise details of the materials to be used in the construction of the external surfaces of the approved development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of good design. To ensure that final finish is of a high-quality and will preserve and/or enhance the Conservation Area.

4. No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: any means of enclosure; areas to be provided for the secure, covered and lit cycle storage; parking layouts; the areas and infrastructure to be provided for the manoeuvring and parking of vehicles including electric vehicle charging points and powered two wheeled vehicle provision; hard surfacing materials; bin storage areas; and any other minor artefacts and structures.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise approved by the local planning authority.

Reason: to secure a well-designed functional layout for the external areas of the site that provides for multiple modes of sustainable transport in accordance with Local Plan policies WLP8.29 and WLP8.21.

5. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until an assessment of UXO (unexploded ordnance) risk is undertaken. The assessment must be taken by a competent person and conform with current guidance and best practice.

Reason: In the interest of ensuring construction works can be undertaken safely; a precautionary approach is required.

6. Prior to commencement of development, plans and details shall be provided to show how the recommended Flood Risk Mitigation and Evacuation measures outlined in Chapter 6 of the submitted Flood Risk Assessment (MARCH 2020 REPORT REF: 2484/RE/03-20/01) are to be precisely incorporated into the development. Thereafter the development shall be carried out in accordance with the approved details.

Reason: to ensure the new residential accommodation is resilient to tidal flood risk for the long term accounting for climate change, in accordance with Local Plan policy WLP8.24.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination are minimised, in the event that unexpected contamination is found.

8. The ground floor commercial space (as shown on Drawing No. 1854 00 11) shall only be used as a café. The area shall not be used for any other purpose within use Class E (Commercial, business and service uses) of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 unless expressly permitted in writing by the local planning authority.

Reason: in the interest of the amenity of residents above the café; and to ensure that the ground floor commercial use accords with the policy objectives for the Kirkley District Shopping Centre.

9. The ground floor cafe use hereby permitted shall not be open to customers outside the following times:

- 07:30 to 18:00 (Mondays to Saturdays)
- 08:30 to 17:00 (Sundays and Bank Holidays)

Reason: in the interest of the amenity of residential occupants of the building.

10. The existing sash windows in the front elevation of the building shall be retained and repaired as necessary, unless otherwise approved in writing by the Local Planning Authority.

Reason: to preserved the original frontage fenestration that positively contributes to the conservation area.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National

Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

6 DC/18/0789/FUL - Car Park and adjacent Land at Links Road, North Denes, Lowestoft

The Committee received report **ES/0559** of the Head of Planning and Coastal Management, which related to planning application DC/18/0789/FUL.

The application sought planning permission for a single storey café, with play area and toilet facilities to be located adjacent to the car park on Links Road. The Committee considered the application at its meeting of 19 December 2019, resolving to delegate authority to approve the application to the Head of Planning and Coastal Management subject to the submission of further ecological and contaminated land assessments to officer agreement.

Further negotiations had taken place between officers and the applicant in the intervening period regarding matters of contaminated land and ecology. However, as these issues had not been addressed through the required survey work, the application had been returned to the Committee, with the recommendation for refusal due to insufficient information regarding ecological impacts and ground contamination investigation.

Officers explained to the Committee that these matters could not be dealt with by planning conditions, in this instance, because of the interrelationship between potential remediation works and ecological impact, all of which needed to be understood prior to any planning permission being granted.

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

The site's location was outlined. The Planner explained that the land was owned by Lowestoft Town Council and recalled the issues between the landowner and the applicant, which were ongoing. The applicant was not willing to commit to the required survey work whilst the landowner was unwilling to give consent to development or lease the land to the applicant.

The proposed block plan was displayed, and the Planner described the proposed design as being unique. Officers considered that the scheme would have been of benefit to the area but noted that the situation had reached an impasse and could not be progressed at this time.

The material planning considerations were stated as contaminated land and ecology, with key issues highlighted as being covenants, notice of implementation and landowner consent.

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

There being no questions to the officers, nor any public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee considered the situation a missed opportunity but considered the recommendation to be a sensible one.

On the proposition of Councillor Rivett, seconded by Councillor Ceresa it was by unanimous vote

RESOLVED

That the application be **REFUSED** due to insufficient information in respect of ecological and contaminated land assessments.

The reason for the decision to refuse permission is that insufficient information has been submitted to allow the local planning authority to make a full assessment of the proposed development particularly in relation to ecological impacts and imported soil and remediation of any potentially contaminated land.

In the absence of these surveys the proposed development is considered to be contrary to the adopted East Suffolk (Waveney) Local Plan 2019 policy WLP8.34 Biodiversity and Geodiversity.

Informatives:

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

7 DC/20/2737/FUL - OS7554, Mill Road, Peasenhall

The Committee received report **ES/0560** of the Head of Planning and Coastal Management, which related to planning application DC/20/2737/FUL.

Planning permission was sought for the construction of a two-storey dwelling comprising eight bedrooms, with up to four of the rooms let for bed & breakfast accommodation, with studio and carport, and associated landscaping works.

The site was situated outside but adjacent to the settlement boundary of Peasenhall. The site benefited from an extant outline planning permission for four residential properties (Ref: DC/15/2706/OUT) for which an application for approval of reserved matters was currently under consideration (Ref: DC/20/0075/ARM).

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

The site's location was outlined, along with its relationship with Peasenhall. The Senior Planner outlined the changes to Peasenhall's settlement boundary in the recently adopted Suffolk Coastal Local Plan which resulted in the site being adjacent to the revised boundary. The Committee was advised that this improved the sustainability of the site compared to when outline planning permission was granted.

The site's layout was displayed. The dwelling would be constructed in a traditional Suffolk farmhouse form with a garden and decking. It was explained that an area to the north of the site would be sectioned off due to its environmental importance and would be dealt with by way of an environmental management plan.

The Senior Planner highlighted that some roadside hedgerow would be lost, to improve the site access, but this was minimised in the proposed scheme. Replacement planting would take place within the site.

Photographs were displayed demonstrating views south towards the nearest dwelling, east from the site, north-west from the site, north towards the site, and the existing access.

The Senior Planner highlighted examples of the character of development surrounding the site.

The proposed elevations were displayed, and the Senior Planner detailed the building materials that would be used and the fenestration that was proposed.

The Committee received perspective concept images of the development's design quality. The Senior Planner explained that the scheme was in accordance with paragraph 79(e) of the National Planning Policy Framework (NPPF), regarding the development of isolated homes in the countryside, as it was considered that the design was of exceptional quality.

The proposed floor plans and both the existing and proposed street scene were displayed to the Committee.

The Senior Planner outlined the indicative layout for four dwellings approved under planning application DC/15/2706/OUT.

The material planning considerations and key issues were summarised as the principle of housing, B&B use, design, highways, landscape character, ecology/RAMS, neighbour amenity, and the extant planning permission for four dwellings.

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

There being no questions to the officers the Chairman invited Mr Porter, agent for the applicant, to address the Committee.

Mr Porter explained that the applicants had been successful in the catering business, working for well-known restaurants, and were looking to relocate to a new family home with a small B&B element which would allow them to retire. The applicants had a desire to contribute to both the local economy and local area with a high standard design, which had influenced their choice of architect.

Mr Porter said that the linear form of the development had been designed to complement the existing access to the site. The studio at the northern end of the building was to be used by the applicants' son. The studio annex would also provide sheltered parking and further utility storage for the commercial element of the property.

The use of rural timber cladding, the large amount of glass on the ground floor and detailing on the exterior of the building was outlined by Mr Porter. The cladding had been chosen with sustainability in mind and would allow for a much higher thermal performance of the building envelope. Mr Porter confirmed that the applicants were looking to use local suppliers.

The overall landscape strategy was described by Mr Porter as protecting biodiversity of the site going forward.

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

A member of the Committee proposed the recommendation to approve the application, commenting that the scheme was a good one and would improve the site. The Member considered that the design was positive and sustainable.

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

On the proposition of Councillor Brooks, seconded by Councillor Pitchers it was by unanimous vote

RESOLVED

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

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PL_P200, P300, P101 and PL_E001 received on 22 July 2020 and drawing nos. P201, P200 Rev A, 301 and the Hedgerow Plan and Management Statement by Abrehart Ecology Ltd received on 29 September 2020 and drawing no. P100 rev B received on 02 October 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. Before the access is first used visibility splays shall be provided as shown on Drawing No. PL_P100 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 2015 (As amended) (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 provide sufficient visibility for vehicles to enter the public highway safely and that vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action

5. The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. PL_P100 Rev B and with an entrance width of 3m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

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

6. The use shall not commence until the area(s) within the site shown on Drawing No. PL_P100 Rev B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

7. The residential studio/annex hereby approved shall only be occupied and used for ancillary accommodation or for a purpose incidental to the enjoyment of the dwelling house and shall at no time be subdivided from the curtilage of the main dwelling, or used as an independent unit of residential accommodation.

Reason: The building is not suitable for use as a separate residential property.

8. The air source heat pump shown on the drawing no PL_P100 rev B shall be installed in accordance with the Microgeneration Certification Scheme (MCS) Planning Standards or equivalent and shall thereafter be maintained to that standard.

Reason: To protect the amenities of the occupiers of nearby premises in terms of noise nuisance.

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (Abrehart Ecology, May 2020) and Great Crested Newt Survey (Abrehart Ecology, May 2020).

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

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

Reason: To ensure that nesting birds are protected.

11. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

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

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

12. Prior to first occupation a long-term management plan for retained and created habitats on the site (including those retained or created for great crested newts) will be submitted to and approved in writing by the local planning authority. Habitat management will be delivered in accordance with the approved Strategy.

Reason: To ensure that optimal habitat management for biodiversity, including protected species, is undertaken on site in the long term.

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

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7: "Archaeology" of East Suffolk Council - Suffolk Coastal Local Plan (Adopted September 2020) and the National Planning Policy Framework (2019).

14. 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 13 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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

15. The landscaping scheme shall be carried out in accordance with the details shown on drawing no. P100 Rev B and the Hedgerow Plan and Management Statement by Abrehart Ecology Ltd and shall be completed in the autumn (October -December) planting season following occupation of the property, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

16. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details:

- Representative details of fenestration and external doors and the position relative to the external cladding.
- Detail of the hidden gutter and downpipes.
- Detail of cladding to soffits where there are overhangs and projections.
- Exact height of stainless-steel flue above roof level.

Reason: In order to ensure the property is suitably detailed.

17. 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.

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 submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service. SCC would be pleased to offer guidance on the archaeological work required and, in their role as advisor to East Suffolk Council, SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In

this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

5. The mixed-use nature of the proposal hereby approved is not considered to fall within any specific use class within the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and is therefore considered to be 'Sui Generis'. Therefore, planning permission would be required for any change of use to the property.

8 DC/20/2440/FUL - Country Cottage, Black Street, Gisleham

The Committee received report **ES/0561** of the Head of Planning and Coastal Management, which related to planning application DC/20/2440/FUL.

This planning application is for the construction of a building for storage of wood and equipment in association with the management of woodland at Home Covert.

The Waveney Local Plan did not contain policies relating directly to rural activities in the countryside, with only policy WLP8.13 providing guidance on where employment uses would be permitted referring to uses B1, B2 and B8. Due to the lack of a standalone policy for agricultural or forestry development, and in the absence of exceptions to WLP1.2 (that seeks to restrict development outside of the settlement boundaries in the countryside) the proposed development was considered to be contrary to the local development plan. Based on the scheme of delegation, and because of these policy limitations, it was considered by officers that the proposed development represented a departure from the Local Plan that would need to be determined by the Committee.

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

The site's location was outlined, and the Committee was in receipt of the proposed floor plan and elevations.

Photographs showing the application site, an aerial view of the site, the street looking north and south, and the site access were displayed to the Committee.

Further photographs were received showing the associated woodland and the street scene.

The material planning considerations and key issues were summarised as the impact on the landscape, the impact on highways safety, the design and scale, and the use of the building.

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

The Chairman invited questions to the officers.

The Planning Officer advised that he did not have any figures of the projected increase of traffic movements on and off the site; he explained that the felling of trees would take place between December and January and this would be the time of year when there was the most

activity on the site. The Planning Officer noted that the Highways Authority had not objected to the application.

There being no further questions to the officers, no public speaking on the application, and no debate from the Committee the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

Due to connection issues, Councillor Elliott left the meeting at this point.

On the proposition of Councillor Pitchers, seconded by Councillor Brooks 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 additional material planning objections being received prior to 28 November 2020 (the date of expiry of the press advert); and subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the plans and supporting documentation received 2nd July 2020, 17th August 2020 and 20th October 2020.

Approved drawings Block plan S 1754
Proposed floor plans and elevations and site location plan S 1754 01
Site plan of Home Covert S 1754 10

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

3. The two field aspects of the site shall be planted with a triple row of native shrub based hedgerows within 12 months of the commencement of the development or such other period as shall be agreed in writing by the Local Planning Authority. Planting shall take place in the autumn planting season to a planting and maintenance specification that shall be agreed in advance in writing with the Local Planning Authority, and any plants which die during the first 3 years shall be replaced in the next planting season.

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

4. The building shall be used for the storage of wood and equipment associated with the woodland at Home Covert (drawing no S 1754 10) and for no other purpose, unless otherwise approved by the local planning authority through the grant of planning permission.

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

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.

9 DC/20/2905/FUL - Land behind Velda Close, Lowestoft

The Committee received report **ES/0562** of the Head of Planning and Coastal Management, which related to application DC/20/2905/FUL.

Planning permission was sought for alterations to the pumping station and ancillary equipment approved under planning permission ref. DC/19/0210/FUL, for flood defence works around Velda Close/Aldwyck Way. The application was before the Committee as it had been submitted on behalf of East Suffolk Council.

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

The site's location was outlined. The Committee was shown a satellite image of the site and photographs showing aerial views of the site, views of the site from Tom Crisp Way, and views of the site from Velda Close.

Councillor Elliott returned to the meeting at this point. It was clarified that as he had not been present for the duration of the whole item that he would not vote on its determination.

The block plan and proposed elevations were displayed.

The material planning considerations and key issues were summarised as the principle of development, the character and appearance of the development, amenity, and flood risk.

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

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

Members of the Committee were delighted to see that this scheme had come forward and highlighted the importance of the works to protect homes in the area from the sort of devastation caused by flooding in the area previously.

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

On the proposition of Councillor Rivett, seconded by Councillor Ceresa it was by a majority vote

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:

- Site location plan, 72114-JBAU-ZZ-01-DR-C-1002, received 16/07/2020
- Proposed pumping station sections, 72114-JBAU-VP-01-DR-C-1302, received 16/07/2020
- Proposed pumping station sections, 72114-JBAU-VP-01-DR-C-1321, received 16/07/2020
- Proposed elevations and details, AO/15541/B, received 16/07/2020

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

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

3. The floodlight hereby approved, shall only illuminate the site whilst repairs/maintenance operations and other work is taking place at the pumping station, and shall be switched off when such work is not taking place.

Reason: To protect the amenity of neighbouring residents

10 DC/20/3386/FUL - 1a Princes Walk, Lowestoft

The Committee received report **ES/0563** of the Head of Planning and Coastal Management, which related to planning application DC/20/3386/FUL.

The application sought planning permission for a single storey side extension to the dwelling. The application was before the Committee for determination because the applicant was an employee of East Suffolk Council.

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

The site's location was outlined, and the Committee was shown an aerial view of the site. The Principal Planner outlined where on the site the extension would be constructed.

Photographs of the site were shown that displayed street views towards the site and the existing vegetation screening in place.

The existing and proposed plans were displayed.

The material planning considerations and key issues were summarised as the design, residential amenity, and policy WLP8.29 of the Waveney Local Plan.

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

There being no questions to the officers, public speaking on the application, or debate from the Committee the Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Ashdown, seconded by Councillor Ceresa it was by unanimous vote

RESOLVED

That the application be **APPROVED** with conditions as below:

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

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

2. The development hereby permitted shall be carried out strictly in accordance with Drawing No. PW-PL01, received 02 September 2020.

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

Informatives:

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

The meeting concluded at 3.18 pm

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Chairman