



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

# **Planning Committee South**

## **Members:**

Councillor Debbie McCallum (Chairman)  
Councillor Tony Fryatt (Vice-Chairman)  
Councillor Melissa Allen  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Tony Cooper  
Councillor Mike Deacon  
Councillor Colin Hedgley  
Councillor Kay Yule

Members are invited to a **Meeting of the Planning Committee South**  
to be held on **Tuesday, 24 November 2020 at 2:00pm**

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

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel  
at [https://youtu.be/0n6O9ZI\\_cEY](https://youtu.be/0n6O9ZI_cEY)

An Agenda is set out below.

## **Part One – Open to the Public**

**Pages**

- 2**     **Declarations of Interest**  
Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.
- 3**     **Declarations of Lobbying and Responses to Lobbying**  
To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.
- 4**     **Minutes** **1 - 40**  
To confirm as a correct record the Minutes of the Meeting held on 27 October 2020
- 5**     **East Suffolk Enforcement Action - Case Update ES/0566** **41 - 60**  
Report of the Head of Planning and Coastal Management
- 6**     **DC/20/2976/FUL - Manor Farm, Hall Road, Stratford St Andrew, IP17 1LQ ES/0567** **61 - 77**  
Report of the Head of Planning and Coastal Management
- 7**     **DC/20/2441/FUL - The Spa Beach, The Promenade, Felixstowe ES/0568** **78 - 87**  
Report of the Head of Planning and Coastal Management

**Part Two – Exempt/Confidential**

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

## Speaking at Planning Committee Meetings

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

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/planning/planning-applications/planning-committee/> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

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

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

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

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

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**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 27 October 2020** at **2.00 pm**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Paul Ashdown, Councillor David Ritchie

**Officers present:**

Liz Beighton (Planning Manager), Jamie Behling (Trainee Planner), Sarah Carter (Democratic Services Officer), Grant Heal (Planner), Matt Makin (Democratic Services Officer), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner), Tim Snook (Commercial Contracts Manager - Leisure)

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**1 Apologies for Absence and Substitutions**

There were no apologies for absence.

**2 Declarations of Interest**

Councillor Stuart Bird declared Local Non-Pecuniary Interests in both items 11 and 12 of the agenda as a member of Felixstowe Town Council and the Chairman of that council's Planning and Environment Committee.

Councillor Mike Deacon declared Local Non-Pecuniary Interests in both items 11 and 12 of the agenda as a member of Felixstowe Town Council.

**3 Declarations of Lobbying and Responses to Lobbying**

There were no declarations of lobbying.

**4 Minutes**

**RESOLVED**

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

## **5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/0536** 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 29 September 2020. The report detailed 15 such cases.

The Planning Manager updated the Committee on the outstanding enforcement case at Willow Farm, Chediston Green, Chediston and confirmed that compliance had now been achieved at the site as per the Enforcement Notice served.

There being no questions to the officers, the Chairman moved to the recommendation as set out in the report.

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

### **RESOLVED**

That the report concerning outstanding enforcement matters up to 29 September 2020 be received and noted.

## **6 DC/20/1033/FUL - Easton Farm Park, Sanctuary Bridge Road, Easton, IP13 0EQ**

The Committee received report **ES/0537** of the Head of Planning and Coastal Management, which related to planning application DC/20/1033/FUL.

The application sought the construction of a recreational lake and use for low ropes course to include reception and changing room building at Easton Farm Park, Sanctuary Bridge Road, Easton.

The application was presented to the Referral Panel on 16 June 2020 as officers were minded to refuse the application, contrary to the Parish Council's support. It was considered that there were material planning considerations which warranted further discussion by the Committee.

The application was due to be presented to the Committee on 21 July 2020 however, prior to the meeting, the Chairman of the Committee chose to defer the item to enable Members to visit the site.

The visit was considered necessary to allow Members to understand the landscape context and due to concerns regarding there being insufficient information regarding the heights and route of the rope course within the application submission. A site visit with Members was undertaken on 7 October 2020.

The Committee received a presentation from the Principal Planner, who was presenting the application on behalf of the case officer.

The site's location was outlined, and the Committee was shown aerial views of Easton Farm Park. The Principal Planner identified where within the park the application site was located.

A site map was displayed that outlined the application site's relationship with nearby Grade II listed buildings.

The Committee was provided with the site plan for the approved campsite to the north of the application site. It was noted that the campsite was subject to a close season in the winter.

The Principal Planner outlined the walking route taken by Members on the visit to the site.

Photographs were displayed showing the entrance to the site, views towards the approved campsite, views into the campsite, and a view of the application site from the campsite.

Additional photographs were displayed showing views from south looking back towards the application site.

The proposed block plan was outlined to the Committee. The Principal Planner explained that no further details regarding the route of the rope course and associated heights had been submitted since the application was deferred to enable the site visit.

The proposed elevations and floor plan for the barn were displayed along with a cross section of the proposed lake.

The Principal Planner displayed images supplied by the applicant that gave examples of the sort of low ropes course that would be installed; these examples only gave a rough indication of heights.

The main considerations were stated to be the benefits to tourism and the economy, additional attraction to the existing site, potential impact to the landscape, and potential impact to heritage assets.

The recommendation to refuse planning permission was outlined to the Committee. The Principal Planner drew the Committee's attention to the updated wording for the recommendation contained within the update sheet, which had been published on 26 October 2020.

The Chairman invited questions to the officers.

A member of the Committee noted a track marked on the site's location plan and sought confirmation that this was the footpath considered during the site visit; the Principal Planner stated the track was the footpath that had been considered.

The Chairman invited Mr Emley, the applicant, and Ms Siddall, from Easton Farm Park, to address the Committee.

Mr Emley said that it had been explained to Planning officers that the exact route or heights of the low ropes course could not be submitted until after the creation of the lake and considered that the example photos provided were a very close representation of what the course would look like.

Mr Emley outlined the details of the approved campsite, that would be in operation from 2021, and the existing and planned hedgerows that would screen the site from the road. Mr Emley

considered that the application site would also be hidden from the road and highlighted the photos he had submitted, showing a 6.5 metre pole he had planted in the application site and taken from a series of positions whilst walking back through the campsite towards the Easton-Hoo road. Mr Emley concluded that these photos showed that the site was not visible from the road without the full use of the campsite and the additional hedgerow planting.

Mr Emley considered that Easton Farm Park already had all the infrastructure needed for the proposed development, which would offer an energetic outdoor experience for groups of all ages and backgrounds from the local community.

Ms Siddall noted that Easton Farm Park had been a family destination since 1974 and had seen many changes in the site during that time; Ms Siddall said the present period was the most challenging period faced by the business and considered the approval given for the campsite enabled Easton Farm Park to get through summer 2020 with all its staff intact.

It was the view of Ms Siddall that the proposed development was a perfect fit for Easton Farm Park and highlighted that it had received overwhelming support from all quarters. Ms Siddall said that the development would offer an exciting and innovative family day out.

The Committee was advised by Ms Siddall that the field in which the development would take place was called the "Demo Field" in reference to its previous use. The proposed landscaping would ensure that the development was not harmful to views from the Easton-Hoo road and would sit adjacent to the existing playground and campsite.

Ms Siddall reiterated that it was difficult to provide exact details of the low ropes course as this was a new venture but gave assurances that the applicant would work with Planning officers during the build process to ensure minimal, if any, impact on the character of the landscape.

The Chairman invited questions to Mr Emley and Ms Siddall.

In response to a question on water safety Mr Emley confirmed that he was working with a similar site in Scotland, the only other course of this type in the United Kingdom, to learn from their experiences, risk assessments and staff training to develop a safe activity course. Mr Emley said that a safety officer would be on site when it was in operation.

A member of the Committee asked what consideration had been given to preventing access to the site to stop it being used unsupervised. Mr Emley considered that the fencing proposed would be difficult to climb over and that any concerns and risks would be mitigated as part of safety operation procedures.

Ms Siddall confirmed that the site had been selected as it is flat and in an out of the way area of Easton Farm Park. Ms Siddall considered it was near to a ditch area of the River Deben and that the development would fit well in the surroundings at the heart of Easton Farm Park.

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

A member of the Committee asked why this application was before the Committee and considered that if the application was for a dwelling it would be refused out of hand due to the lack of detailed information. In reply, the Planning Manager confirmed that officers held concerns that there were a lack of details for the development, regarding the low ropes course,

which did not allow officers to judge the potential impact of the development on the landscape and nearby heritage assets.

The Planning Manager reminded the Committee that a standard condition of planning permission was for development to accord with submitted plans in order to ensure that what has been approved is what has been developed. Officers were recommending that the Committee refuse the application as this detail was not forthcoming and that the application had been referred to the Committee by the Referral Panel as Easton Parish Council's recommendation of approval was contrary to the officer recommendation. The Planning Manager assured the Committee that the additional detail required had been sought repeatedly from the applicant throughout the process.

During the debate several members of the Committee expressed support for the development in principle but highlighted concerns about the lack of detail that was provided in the application. Members considered that to approve the application without this detail would result in a lack of control over what was developed on the site and give no recourse to enforcement action if it should be required.

One member of the Committee expressed concerns regarding safety in relation to the age groups targeted in the examples provided by the applicant, given that Easton Farm Park was predominantly an attraction for younger children.

A member of the Committee sought the view of the Planning Manager on deferring the application to allow the applicant to bring forward the details required. Both the Chairman and the Planning Manager reminded the Committee that the application had been deferred once already to allow the applicant to do this and the information had not been forthcoming. The Planning Manager noted the comments of Mr Emley and Ms Siddall about not being able to bring forward details of the low ropes course until the lake had been constructed and was of the view that a further deferral would not progress the situation.

Another member of the Committee also noted the unknown impact on the landscape and nearby heritage assets, as well as the impact on the Special Landscape Area, and agreed with the recommendation for refusal.

There being no further debate the Chairman moved to the recommendation to refuse planning permission, as set out in the report.

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

## **RESOLVED**

That the application be **REFUSED** planning permission for the reason outlined below:

The application seeks the construction of a recreational lake and use for low ropes course, to include a reception and changing room building at Easton Farm Park, Sanctuary Bridge Road, Easton, IP13 0EQ.

It is accepted that this proposal would support the economic potential of Easton Park Farm through diversification of a rural economic activity. However, the adopted Local Plan Policies

would not support new development where it would be considered harmful to the character of the landscape.

In the absence of details of the precise route of the course within the lake the visual impact is not defined, but it is clear that there would be significant landscape impact arising from the lake and low ropes course upon this sensitive valley landscape.

The site lies within Landscape Character Area B7 Deben Valley of the Suffolk Coastal Landscape Character Assessment (2018) where the proposed development consists of an uncharacteristic feature on an otherwise unchanged highly characteristic and historical landscape, contrary to Local Plan Policies SCLP4.5(c), SCLP6.4(c), SCLP4.7(d) and SCLP10.4 and Paragraphs 127(c) and 170(a) of the NPPF. In this instance it is not considered that unacceptable adverse landscape impacts can be suitably mitigated.

Furthermore, insufficient information has been submitted in respect of the potential impacts to the nearby heritage assets, contrary to Local Plan Policy SCLP11.3 and paragraphs 189, 190, 193 of the National Planning Policy Framework.

## **7 DC/20/2081/FUL - 8 Haywards Fields, Kesgrave, IP5 2XH**

The Committee received report **ES/0538** of the Head of Planning and Coastal Management, which related to planning application DC/20/2081/FUL.

The application sought permission to erect a one metre high fence around the front of the property, set back from the kerb. A previous 1.8 metre-high fence was erected on the boundary alongside the kerb which was subject to a previous application and subsequent appeal. The appeal was dismissed, and the fence taken down. The fence that was subject to this application had been erected and the application sought authority for its retention.

The application was presented to the Referral Panel on 18 August 2020 as Kesgrave Town Council had objected to the proposal which was being recommended for approval. The Referral Panel considered that given the previous refusal and appeal for a fence on the site and enforcement cases, the application should be determined by the Committee.

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

The site's location plan was outlined, as well as the block plan for the site.

The Committee was shown photographs of the fence that had been removed and the fence currently on the site. Photographs of nearby fences were also displayed. The Trainee Planner considered that the new fence was less intrusive on the character of the area than the fence it had replaced.

The main consideration was stated to be the design.

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

There being no questions to the officers the Chairman invited Mr Gibson, representing Kesgrave Town Council, to address the Committee.

Mr Gibson highlighted that the delegated report for the original fence had recommended refusal due to the fence dominating the area and being too prominent in the street scene. Mr Gibson noted that no other properties had erected fences in the area and considered that the new fence detracted from the area.

It was considered by Mr Gibson that the fence was a breach of the open plan design of the area and a breach of the covenant in the area. Mr Gibson acknowledged that the reduced form of the new fence could be acceptable in other areas but was of the view that it stood out in Haywards Fields. Mr Gibson stated that neighbours had objected to the application as they considered it detracted from the appeal to the area and Kesgrave Town Council supported this view.

Mr Gibson said that to approve the application would set a precedent for future, similar developments which would cause irreversible damage to the area. Mr Gibson considered the application was contrary to the Suffolk Coastal Local Plan and stated that Kesgrave Town Council contended the development was not in accordance with that plan's policies.

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

The Chairman opened the debate by stating she was in agreement with the view of Kesgrave Town Council; she said that the character of Kesgrave was its open plan nature with walkways and open spaces and would be disappointed if fences started appearing throughout the area. The Chairman stated she could not support the application.

Another member of the Committee agreed with this view and noted that other fences had been constructed in the area; he considered that there was a need to address and control this issue so that a precedent was not set. The Planning Manager noted that permitted development rights in Kesgrave had been removed for fences and that any constructed required planning permission. The Planning Manager confirmed that any developments reported were addressed through the planning enforcement process.

There being no further debate the Chairman moved to the recommendation to approve planning permission, as set out in the report. There being no proposer or seconder, the recommendation **FAILED**.

The Chairman sought an alternative recommendation to refuse planning permission.

The Planning Manager advised the Committee could, if it so wished, refuse the application on the grounds that it did not improve the character and quality of the area and was therefore contrary to both Paragraph 130 of the National Planning Policy Framework and policy SCLP11.1 of the Suffolk Coastal Local Plan.

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

**RESOLVED**

That the application be **REFUSED** as it did not improve the character and quality of the area and was therefore contrary to both Paragraph 130 of the National Planning Policy Framework and policy SCLP11.1 of the Suffolk Coastal Local Plan.

## **8 DC/20/2835/FUL - The Nursery, Main Road, Pettistree, IP13 0HH**

The Committee received report **ES/0539** of the Head of Planning and Coastal Management, which related to planning application DC/20/2835/FUL.

The application sought permission for the siting of 10 shipping containers to facilitate self-storage use, together with associated parking facilities, security fencing, CCTV cameras and lighting at The Nursery, Main Road, Pettistree.

The application was presented to the Referral Panel on 6 October 2020 as officers were minded to approve the application, contrary to the objections of Pettistree Parish Council. The Referral Panel considered that there were material planning considerations which warranted discussion by the Committee.

The Committee received a presentation on the application from the Planning Manager, who was presenting on behalf of the case officer.

The presentation provided aerial views of the application site which demonstrated its relationship to the A12 and the existing Suffolk Plant Centre site, as well as the B8 use on the nursery site. The site's location was also displayed.

The Committee was shown the proposed block plan. The shipping containers would be of a standard size and be no taller than 3 metres. The Planning Manager compared the proposed development to other self-storage sites across Suffolk that used shipping containers.

Photographs of the site were displayed which included stacked pallets to demonstrate the proposed height and location of the containers and the view of the site from Loudham Hall Road; in the latter photograph it was demonstrated that the pallets were visible from the road.

The proposed elevations and floor plans for the shipping containers were shown to the Committee. The containers would be green to better blend with their surroundings.

The Planning Manager noted that the application was in accordance with policy SCLP4.2 of the newly adopted Suffolk Coastal Local Plan, regarding employment use in rural areas.

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

There being no questions to the officers, the Chairman invited Mr Hallett, Chairman of Pettistree Parish Council, to address the Committee.

Mr Hallett advised the Committee that Pettistree Parish Council objected to the application. It considered that the applicant was the tenant of an extensive plot of open land on the site and that given they had run out site at their site in Leiston, further applications would be difficult to resist if this application was approved which would result in a large container facility out of character with its surroundings.

It was noted by Mr Hallett that the containers would be sited on the ground occupying only a small corner of the land available to the applicant, which was the nearest point to the residences that had objected strongly to the application.

Mr Hallett stated that the vehicles using the facility would approach via the B1438 from the direction of Ufford, the A12, or through Wickham Market which was already suffering congestion issues. Mr Hallett considered that as access and parking would be shared with the Suffolk Plant Centre, the two facilities' operating hours being similar would cause pedestrian safety issues.

Mr Hallett noted the Planning Statement's assertion that the site would have an economic and social benefit for Wickham Market and Woodbridge; he also noted that there was no mention of any such benefit for Pettistree and the site would only provide one part-time job. Mr Hallett said that the Parish Council did not consider that the application satisfied the criteria for sustainable development as a result.

The Parish Council also considered that the screening provided by existing landscaping would not be adequate to shield the containers and the higher lights from view as the vegetation varied considerably throughout the year. The security fencing was also stated to be unsightly and Mr Hallett was of the view that the 4 metre high lighting would come on erratically as it would be PIR-activated by movements of vehicles, people and animals, which would contribute to light pollution.

Mr Hallett highlighted the comments from the Fire Service on the need for a better water supply and assurance that the hard standing and access road could take the weight of a fire engine with its water load.

Mr Hallett concluded that Pettistree Parish Council considered the development would be a new and unsightly intrusion into the existing facilities on the nursery site and that the application was an attempt to set a precedent to allow future, larger developments.

The Chairman invited questions to Mr Hallett.

When asked how many traffic movements per day would be produced by the proposed development, Mr Hallett said he had no exact figure but suggested that if all 10 shipping containers were in use then it would perhaps be five movements a day. Mr Hallett reiterated the Parish Council's main concern of the impact the development would have on the area.

The Chairman invited the Planning Manager to comment on Mr Hallett's concerns about the application leading to further development of the site in the future. The Planning Manager advised the Committee that it could only consider the application that was before it and not any possible applications that may or may not be made in the future; she confirmed that any future development would require separate planning permission and any applications would be considered on their own merits and may have a different impact on the area than the one before the Committee.

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

Mr Price explained that the application site was part of a commercial horticultural nursery that has diversified; the site also contained a classic car restoration business, a B8 business, and a

nursery that also sells to the general public, all of which were granted planning permission by the former Suffolk Coastal District Council.

Mr Price considered that the site was now a successful operation and advised the Committee that the application today was not part of that nursery operation. The proposal was for a small-scale self-storage business as the applicant could not meet the demand for additional facilities on their site at Leiston.

It was Mr Price's view that the application was in accordance with policies SCLP3.4 and SCLP3.5 of the Suffolk Coastal Local Plan; he acknowledged the concerns of Pettistree Parish Council and objectors but considered that the development would cause demonstrable harm and would not have a negative impact on the character of the area.

Mr Price highlighted that the site would be well screened by existing mature vegetation and that the shipping containers, at a height of 2.96 metres, would not be visible from outside the site. Mr Price added that the applicant was willing to accept a condition to maintain the hedgerow at a height of 3 metres.

Mr Price said that the operation of the site would not be noisy, and the proposed hours would not generate high volumes of traffic movements as customers' visits to their storage were often infrequent.

Mr Price referenced that national and local planning policy noted the importance of enhancing the rural economy; he considered that the application was in line with these policies and encouraged the Committee to support the proposals.

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

A member of the Committee expressed concern about the shipping containers being stacked on top of each other and sought confirmation that the applicant intended to have containers at ground level; the Member also asked if a condition could be added to any planning permission to restrict the stacking of the containers. The Planning Manager advised that the containers would be at ground level and such a condition could be added.

A member of the Committee, who was also Ward Member for Leiston, said he was familiar with the applicant's other site and considered that it was not intrusive into the area. The Member was of the view that the application was a positive one.

Several members of the Committee spoke in support of the application, noting that it would be a low-key operation which could have the added benefit of encouraging customers to access other services in the area when visiting their storage. Members were content that the site would be well screened from the area.

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 Allen, seconded by Councillor Deacon it was by unanimous vote

## RESOLVED

That the application be **APPROVED** subject to the conditions 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 Drawing No's QF-115 received 12/08/2020, the site location plan and block plan received 29/07/2020

*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. Notwithstanding the submitted details, prior to the use commencing, details of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

*Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.*

5. The operating hours in connection with the use/containers hereby permitted, shall not be other than between 09:00 and 17:00 Monday to Saturday; and 10:00 and 16:00 Sundays unless otherwise agreed in writing by the local planning authority.

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

6. Prior to the installation of any boundary treatment, details of the location, height, materials and appearance of all fences, walls, gates and other means of enclosure, shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved fences, walls, gates or other means of enclosure shall be erected on site.

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

7. The existing hedgerow on the northern site boundary shall be retained at a height of at least 3 metres for the duration of the hereby permitted use

*Reason: In the interests of visual amenity.*

8. The hereby permitted storage containers shall be single height only with no stacking.

*Reason: In the interests of visual amenity as double height containers would be an uncharacteristic feature within the rural landscape which would not conform with the development plan.*

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 was adjourned at this point (3.19 pm) for a short break and was reconvened at 3.30 pm.*

## **9 DC/20/1035/FUL - Former Rendlesham Sports Centre Site, Walnut Tree Avenue, Rendlesham, IP12 2GF**

The Committee received report **ES/0540** of the Head of Planning and Coastal Management, which related to planning application DC/20/0135/FUL.

The application site was located within the Rendlesham District Centre and currently comprised an area of open land. Previously, Rendlesham Sports Centre was located on the site. The application proposed the erection of 11 affordable homes and three retail units with associated access and parking.

The application was presented to the Committee on 21 July 2020 and it resolved to grant planning permission for the development, subject to completion of a Section 106 Agreement. No decision had been issued as the Section 106 Agreement had not been finalised.

Since the resolution to approve the application, the Council had adopted the new Suffolk Coastal Local Plan. Within the new Local Plan were some policies which required further provisions, above what the former Local Plan had required. Therefore, as any decision made after the adoption of the new Local Plan required the application to be determined in accordance with this document, it was considered prudent that the application be presented to the Committee for it to consider the proposal with full weight being given to the new Suffolk Coastal Local Plan.

The proposal had not changed since it was previously considered by the Committee, with the exception of the addition of electric car charging points and a contribution to Suffolk County Council for secondary school transport by Section 106 agreement, and whilst it was not clear that the current proposal complied in all respects with the new Local Plan, the additional requirements were technical and did not affect the principle of the development.

Prior to the presentation, the Chairman invited the Planning Manager to address the Committee on a recent development with the application. The Planning Manager explained that a request had been made to the Secretary of State for Housing, Communities and Local Government for him to call in the application for determination. The Committee was advised that this request did not impact on the Committee making a decision on the application today

but that the Council would need to inform the Secretary of State of the Committee's decision and the issue of any planning permission would be delayed until a decision had been made on whether the application is to be called in.

The Chairman invited questions to officers.

The Senior Planner advised that officers were unaware of the rationale for the call-in request at this time.

The Committee received a presentation on the application from the Senior Planner, who was acting as the case officer. The Committee was advised of a further letter of objection that had been received from Rendlesham Parish Council, which was contained in the update sheet published on 26 October 2020.

The site's location was outlined, and the Committee was shown photographs of views in and out of the site from various different locations.

The proposed site layout, elevations and floor plans were displayed.

The main considerations were stated to be the principle of development previously being considered acceptable and that policy change had occurred (particularly the adoption of the new Suffolk Coastal Local Plan).

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

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

Members of the Committee considered there were no significant changes that changed their minds from the original resolution in July 2020. Members considered the scheme to be a positive one and making good use of a redundant site.

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

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

## **RESOLVED**

That the application be **APPROVED** subject to controlling conditions below and the completion of a Section 106 Agreement to secure the affordable housing and a contribution to secondary school transport.

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. 7641 24B and 7641 25, Planning Statement, Design and Access Statement and Preliminary Ecological Appraisal received 3 March 2020, Ground Investigation Reports received 17 March 2020, Flood Risk Assessment received 16 April 2020, Drawing Nos. 7641 21B, 23D and SLSP/15/0002 Rev 2 received 22 May 2020, External Timber Bin Storage received 9 July, 7641 20P received 24 August 2020, Air Quality Report received 14 September 2020 and Ground Investigation Report reference TEB/ABS/17.347A and DJM/17.347/ADD 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. The construction of Plots 1 to 5 shall not be commenced until the new Sycamore Drive vehicular access, located to the east of Plots 1 to 5, has been laid out and completed in all respects in accordance with the Site Access Strategy Drawing No.SLS P/15/0002 Rev 2; with clear visibility at a height of 0.6 metres above the carriageway level cleared and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 41.4 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y1 dimension), and with clear visibility at a height of 0.6 metres above the footway/cycle track level cleared and thereafter permanently maintained in that area between the back of the footway/cycle track and a line 2.4 metres from the back of the footway/cycle track at the centre line of the access point (X2 dimension) and a distance of 15.8 metres in each direction along the back edging of the footway/cycle track from the centre of the access (Y2 dimension). Thereafter the access shall be retained in the specified form.

*Reason: To ensure that the access is designed and constructed to an appropriate specification.*

*Site Specific Reason: Due to the locational relationship between the building line, the access centreline, the curved kerb and edging lines and the HV cable easement areas, this condition is required to ensure that the building frontage of Plots 1 to 5 does not conflict with the required minimum visibility splays that are to be formed with Y dimensions measured along the relatively tight radius carriageway and back of cycle track edge lines.*

5. Within 3 months of the commencement of development, details of the areas to be provided for residents and employees', 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 the provision of long term cycle storage in accordance with Suffolk Guidance for Parking (2019).*

6. Within 3 months of the commencement of development, details of electric vehicle chargingpoints shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To ensure the provision of electric vehicle charging points in accordance with Suffolk Guidance for Parking (2019).*

7. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

8. The use shall not commence until the areas within the site shown on Drawing Number 7641- 20-REV-P for the purposes of loading, unloading, manoeuvring and parking of vehicles, and retail element visitor cycle parking, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

9. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 7641-20-REV-P shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

10. Before the development is commenced, a Service Management Plan (SMP) regarding the retail units shall be submitted to and approved in writing by the Local Planning Authority. The Service Management Plan (SMP) shall describe the means of servicing and times of deliveries and means provision for servicing/delivery vehicles. The SMP should identify exactly how and what types of vehicles are anticipated for the commercial uses and their delivery times should also be detailed to demonstrate that the proposed system would work. Any measures described in the SMP shall be implemented within the time period identified and adhered to thereafter.

*Reason: In the interests of highway safety, the SMP is required to ensure that the impact from retail unit service and delivery traffic operations on existing users of Walnut Tree Avenue is minimised.*

11. Prior to commencement of any residential dwelling hereby approved, a Traffic Regulation Order (TRO) shall be progressed that seeks to extend the existing on street waiting prohibition to prevent parking on the inside bend of Sycamore Drive obstructing the western visibility splay of the new access east of Plots 1-5. Prior to the commencement of development, the developer shall deposit a sum of £15,000.00 to cover Suffolk County Council's costs and fees associated with progressing and implementing the TRO. Five years after the development's formal completion date, any balance of the £15,000.00 remaining shall be returned to the developer.

*Reason: In line with MfS guidance the development is such that a TRO is required to ensure that parked vehicles would not interrupt visibility splays in order to make the application acceptable.*

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

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

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

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

14. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

15. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) by a qualified principle site contractor, detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a) Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems

- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

*Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.*

16. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Practical Ecology, January 2020).

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

17. Prior to occupation, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

18. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancements measures will be delivered in accordance with the approved Strategy.

*Reason: To ensure that the development delivers ecological enhancements.*

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

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);

- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

20. Prior to any occupation or use of the approved development the RMS approved under condition 19 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

22. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written 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.*

23. Prior to commencement of development, a noise survey shall be undertaken and a report submitted. 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 and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on BS8233-Guidance on sound insulation and noise reduction for buildings, given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in daytime: 50 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LMax)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LMax)

The report shall also consider noise from existing and proposed fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. This shall be based on BS4142:2014 Methods for rating and assessing industrial and commercial sound. All detail and appropriate consequential noise mitigation measures shall have been agreed, in writing, by the Local Planning Authority and shall be implemented prior to occupation of any building on the site and shall be maintained as agreed thereafter.

*Reason: To ensure that noise from the commercial development is not detrimental to the residential amenity of neighbouring residents.*

24. No piling operations shall be undertaken unless the details and method of piling is previously agreed in writing with the Local Planning Authority.

*Reason: In the interest of amenity and protection of the local environment.*

25. Prior to the commencement of development, a Construction Management Plan, to identify how the potential for nuisance from demolition/construction site dust, noise and light

will be controlled, shall be submitted to and approved in writing by the local planning authority. This should include site working times and should be agreed and approved by the LPA prior to any work on site taking place. All construction works shall be carried out in accordance with the approved Construction Management Plan.

*Reason: In the interests of amenity, highway safety and protection of the local environment.*

26. There shall be no burning of any material on site.

*Reason: In the interest of residential amenity.*

27. Prior to occupation of any of the properties (residential or commercial) hereby permitted, a management plan for maintenance of the communal areas to include, but not limited to, the access road, parking and turning areas and the landscaped areas shall have been submitted to and approved in writing by the local planning authority. The maintenance plan should include long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

*Reason: To ensure the communal areas are properly maintained in the interest of visual amenity.*

28. Within 3 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.*

29. 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.*

30. Within 6 months of the commencement of development, precise details of all of the means of enclosure (i.e. hedgerows, fences, gates, walls etc.) shall have been submitted to and approved by the Local Planning Authority. Prior to occupation of any of the dwellings or commercial units hereby approved, all boundary treatments shall The approved means of enclosure shall thereafter be retained in their approved form.

*Reason: In the interests of visual and residential amenity.*

31. Prior to occupation of the 5th dwelling hereby permitted, all three of the commercial units shall have been completed and be made ready for occupation.

*Reason: To ensure that the commercial units are delivered in a timely manner ensuring the supply of community infrastructure within the District Centre.*

32. Prior to the use commencing, details of an external lighting scheme shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and retained in its approved form.

*Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.*

33. The three commercial units hereby permitted shall be used for purposes within Class E as set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 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.

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](mailto: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](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](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsoffolk.gov.uk](mailto:llpg@eastsoffolk.gov.uk)

4. In relation to Condition 5, details of cycle storage sheds are not yet provided. Sheds are usually located in private secure gardens. Residential Long term Cycle Storage in Communal Areas needs appropriate security measures Sheffield stands are suitable for short term customer/visitor parking but not for longer term employee cycle parking.

5. In relation to Condition 10, the Transport Statement has suggested timings of delivery windows and maximum service vehicle types and sizes (Rigid 10.5m or 12m length).

6. 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 works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

7. The infiltration rate used for design purposes is (21.39mm/hr), a figure obtained through a soakage test undertaken at Trial Pit Number SA05. The soakage test was undertaken at a depth of 5.0mBGL, whereas the invert level of the soakaway is proposed at 4.1mBGL, presenting concerns as to whether the proposed infiltration rate is a realistic representation of the actual infiltration rate at the depth of the soakaway. It is noted that the proposed 4.1mBGL invert level is situated on the border of the clay and sand layers identified within the borehole associated with SA05. It is recommended that further infiltration testing, in accordance with BRE 365, is undertaken at the location of the proposed soakaway. The depth of the soakage test should be in accordance with the invert level of the proposed soakaway to provide an accurate representation of the infiltration capacity at the proposed soakaway location. The additional soakaway tests would also demonstrate whether the clay layer close to the proposed invert level would have an adverse impact on the achievable infiltration rate. The half empty time of the soakaway design is 13,634 minutes (227.23 hours), significantly above the maximum 24 hours requirement. The design should ensure there is sufficient storage for both the 1:100 +40% and 1:10 +40% event combined as the half drain times are insufficient. It would be useful to understand where the pollution mitigation incidencies associated with the proposed Polypipe Permacceptor Diffuser derive from as this information does not appear to be present within table 26.4 of the CIRIA SuDs Manual as suggested within the Drainage Strategy.

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

9. The applicant's attention is drawn to the comments from the Designing Out Crime Officer and it is encouraged that as many of these suggestions are incorporated into the scheme to help achieve a safe environment.

## **10 DC/19/2513/FUL - Land North of Mill Close, Orford, Woodbridge, IP12 2FE**

The Committee received report **ES/0541** of the Head of Planning and Coastal Management, which related to planning application DC/19/2513/FUL.

The application site was located on the western side of Ipswich Road on the edge of Orford. The site was allocated for a residential development of approximately 10 dwellings in Policy SCLP12.57 of the Suffolk Coastal Local Plan. The application proposed the construction of 11 dwellings served off two accesses.

The application was previously presented to the Referral Panel on 26 May 2020 as, whilst the application accorded with the adopted Local Plan at the time of consideration, Orford with Gedgrave Parish Council had objected to the proposal.

Although the concerns of the Parish Council were understood, the principle of the development had been established in the allocation of the site for residential development. It was considered that the proposed design and layout of the scheme was acceptable and there were no other technical reasons why the application should be refused. The Referral Panel considered that there were no significant issues to discuss that warranted debate by the Committee and therefore delegated determination to the Head of Planning and Coastal Management.

A decision on the application had not been issued as works had been progressing on a Section 106 agreement in relation to the proposal. Since this application was considered by the Referral Panel, the new Suffolk Coastal Local Plan had been adopted and whilst the site remains allocated, the new Local Plan had further requirements in some respects that were not required by the previous Local Plan.

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

The site's location plan was outlined, and the Committee was shown photographs looking into the site, looking towards the site from Ipswich Road, and views towards the site where Orford Castle was in prominent view.

The proposed site layout plan was displayed. The Senior Planner explained that the development had been designed to not impact on views of Orford Castle on the approach to Orford.

The proposed elevations and example floor plans were displayed.

The Senior Planner noted the concerns of Orford with Gedgrave Parish Council in respect of meeting Orford's housing needs and outlined the housing mix that was proposed.

The main considerations were stated as the principle of development, impact on landscape, design and layout, and housing mix.

The recommendation to delegate authority to approve 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 Senior Planner confirmed that issues around access and visibility splays had been resolved and the Highways Authority had removed its objections, now recommending conditions, and that there had been no objections from the Local Flooding Authority.

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

Mr Cobbold highlighted that the application site had been allocated for development in the previous Suffolk Coastal Local Plan and was likewise allocated in the newly adopted Suffolk Coastal Local Plan. Mr Cobbold explained that the application was a resubmission, the original scheme having been discussed with Planning officers and amended to address concerns raised. Construction would use bespoke materials and a mix of different types and sizes of dwellings would be built; Mr Cobbold noted that three of the dwellings would have studies which was very important as more people were required to work from home due to the COVID-19 pandemic.

Mr Cobbold considered that the development was a low-density scheme that would create a more rural and informal sequence of buildings and a major design influence had been continuing the views of Orford Castle from the main road. The site would be linked to the countryside by pathways and vehicular access to the site was appropriate. Mr Cobbold said the development was a high-quality interpretation of the pattern of development in Orford.

It was noted by Mr Cobbold that delegated authority had been given to the Head of Planning and Coastal Management to approve the application previously, and that the delay in the completion of the Section 106 agreement was why the planning permission had not been issued prior to the adoption of the new Suffolk Coastal Local Plan. Mr Cobbold advised the Committee that the Section 106 agreement was now with the Council's legal team for sign-off.

Mr Cobbold acknowledged the changes in the new Suffolk Coastal Local Plan; he highlighted that the application was accompanied by a flood risk assessment that had been deemed acceptable and considered that the proposed housing mix met the aims and objectives of the new policy. Mr Cobbold added that the Section 106 agreement would help meet the local need identified by the Orford Town Trust and asked the Committee to support the application.

The Chairman invited questions to Mr Cobbold.

When asked how the development would meeting the housing needs of Orford, Mr Cobbold noted there was no up to date information but considered the development met the need for one, two and three bedroom properties in Orford identified by the Orford Town Trust, as detailed on page 111 of the report.

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

One member of the Committee expressed concern that the properties with studies could use them as additional bedrooms and would be too expensive for residents; she also noted that the design of the development was a positive one. The Senior Planner noted that there were no direct figures for open market housing need and that the Council's Housing team was working with the applicant on affordable housing provision as part of the Section 106 agreement. The Senior Planner highlighted that the application had been brought to the

Committee so its housing mix could be considered against new policies to ascertain if met local housing needs; it was the view of officers that this was the case.

Another member of the Committee was in favour of the application, noting that the new dwellings could allow residents to downsize and free up larger properties in Orford.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve to the Head of Planning and Coastal Management, as set out in the report.

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

## **RESOLVED**

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management subject to both the completion of a Section 106 agreement and the controlling conditions listed 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 be completed in all respects strictly in accordance with the following:

- Planning Statement including Design and Access Statement and Landscape Assessment received 24th June 2020;
- Drawing nos. 4233- 6-P1, 7-P1, 8-P1, 9-P2, 11-P1, 12-P1, 13-P1, 14-P1, 15-P1, 16-P2, 17-P1, 18-P1, 19-P1, 20-P1, 21-P1, 22-P1, 23-P2, 24-P2, 25-P2, 26-P2, 27-P1, 28-P1, 29-P2, 33-P2, 34-P1, 36-P1 and 37-P1 all received 23 October 2019;
- Site plan received 6 February 2020;
- 50/P2, 1/P8 and traffic information received 6 April 2020; for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. No building work on any of the dwellings hereby approved shall commence until precise details and/or samples of the roof and wall materials and finishes to be used have been submitted to and approved in writing by the local planning authority.

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

4. Prior to the commencement of any of the dwellings hereby permitted, a plan showing that adequate provision is made for fire hydrants to serve the development shall be submitted to and approved in writing by the local planning authority. The approved scheme shall

be implemented in full prior to occupation of any of the dwellings hereby permitted and shall be retained in its approved form thereafter.

*Reason: In the interests of safety, to ensure that there are adequate fire hydrants on the site in the case of fire.*

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

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

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

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

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

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

8. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a) Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

*Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater.*

9. 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.*

10. The mitigation (including sensitive external lighting) and enhancement measures identified in the ecological survey report (Hillier Ecology, April 2019) shall be implemented in full.

*Reason: To ensure that there would be no harm to protected and priority species as result of the development.*

11. Within 3 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.*

12. 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.*

13. Prior to occupation of any of the dwellings hereby permitted, a management plan for maintenance of the access drive, the associated landscaped areas and the open space shall be submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

*Reason: To ensure the public areas are properly maintained in the interest of visual amenity.*

14. 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 East Suffolk Council - Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).*

15. 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 14 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 East Suffolk Council - Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).*

16. No other part of the development shall be commenced until the TWO new vehicular accesses have been laid out and completed to the layout indicatively shown on Drawing No 1/P8 to details previously approved in writing by the Local Planning Authority; with clear visibility at a height of 0.6 metres above the carriageway level cleared and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of EACH access point (X dimension) and a distance of 100 metres in the NORTHERLY directions along the edge of the metalled carriageway from the centre of the access (YNORTHERLY dimension) and a distance of 52 metres in the SOUTHERLY directions along the edge of the metalled carriageway from the centre of the access (YSOUTHERLY dimension). 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. Thereafter the accesses shall be retained in the specified form.

*Reason: Existing roadside hedge will be required to be cut back or cut down to prevent obstruction of the proposed visibility splays. Affected lengths of hedge may be outside the control of the applicant. This pre-commencement condition will ensure that any issues involved in clearing the visibility splays are resolved before development commences. In the interests of highway safety to ensure the approved layout is properly constructed and laid out and that vehicles exiting the accesses would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.*

17. 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.*

18. 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.*

19. Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including electric vehicle charging points, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: In the interests of highway safety and sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking SGP(2019) where on-street parking and*

*manoeuvring could be detrimental to highway safety. This needs to be a precommencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. Garage sizes need to conform with SGP(2019) to count as car parking spaces.*

20. Before the development is commenced, details of the areas to be provided for secure, covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the storage of cycles in accordance with Suffolk Guidance for Parking. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. Garage sizes need to conform with SGP(2019) to count as both car parking and cycle storage spaces.*

21. Before the development is commenced, details of the areas to be provided for the storage and presentation of refuse and 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: In the interests of highway safety, to ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

22. Before any dwelling is first occupied, the 1.8 metre wide frontage footway, complete with an extension linking to the existing footway located to the south, shall have been laid out and completed to the layout indicatively shown on Drawing No 1/P8 to details previously approved in writing by the Local Planning Authority. Thereafter the footway shall be retained in the specified form.

*Reason: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long term maintenance of a safe and suitable pedestrian link to the existing footway network.*

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](mailto: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](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](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsoffolk.gov.uk](mailto:llpg@eastsoffolk.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 works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-developmentadvice/application-for-works-licence/>

## **11 DC/20/3067/FUL - Seaton Recreation Ground, Seaton Road, Felixstowe, IP11 9BS**

The Committee received report **ES/0542** of the Head of Planning and Coastal Management, which related to planning application DC/20/3067/FUL.

Full planning permission was sought for a new welfare hub (comprising three prefabricated units positioned on paving slabs to accommodate equipment storage, accessible W/C and refreshment kiosk), security fencing and lighting adjacent an existing play area at Seaton Recreation Ground, Seaton Road, Felixstowe.

There were no objections from statutory consultees, however, the applicant was a member of staff and the land was owned by East Suffolk Council. In accordance with the Council's adopted scheme of delegation, this application was therefore required be referred to the Committee for determination.

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

The Planner explained that the application followed the recent approval of a similar development (DC/20/1603/FUL) situated approximately 60 metres east close to the Cornwall Road entrance. The applicant had advised that the current application had been submitted because it had transpired that some of the land upon which the approved development would be sited fell outside the applicant's control.

The Committee was shown an aerial view of Seaton Recreation Ground. Photographs were displayed showing the existing play park area and its relationship to adjacent dwellings as well as views towards the application site.

The proposed block plan, floor plans and elevations were displayed.

The Committee was shown example images of the proposed units, fencing and lighting.

The main considerations were stated to be the benefits to community health and social wellbeing, increased offer of recreational activities and events on the site, and the encroachment onto a small area of the recreation ground.

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

The Chairman invited questions to the officers. It was noted that the Council's Commercial Contracts Manager (Leisure) was also present to answer questions.

In response to a question on the security of the site, the Commercial Contracts Manager confirmed that the site would only be accessible when in use by Trimley Red Devils Football Club's youth teams and would be secured at all other times.

Another member of the Committee asked about changing facilities; the Commercial Contracts Manager said that the level of football that would be played on the site would not require changing rooms and youth players would arrive already wearing their football kit. There had previously been changing rooms at Seaton Recreation Ground, but these had fallen into poor condition and had been removed. It was confirmed that the hub would have both refreshment and toilet facility areas.

The Vice-Chairman asked if other teams would be able to use the facilities. The Commercial Contracts Manager highlighted that Trimley Red Devils FC was moving its youth team operations to the site from the former Deben High School as part of the redevelopment of the latter site, and were doing so under licence and would be responsible for maintaining the grass and the facilities. The Commercial Contracts Manager added that there would be capacity to rent the facilities to other groups in the future and this would be identified through the playing pitch strategy being developed across East Suffolk.

It was confirmed that the planning system would not control who could rent the facilities and that separate permission would not be required for other users.

The Chairman invited Councillor Stuart Bird, Ward Member for Western Felixstowe, to address the Committee.

Councillor Bird supported the application and considered it would encourage physical activity at all ages; he was of the view that the facility would be a useful one.

There being no questions to Councillor Bird the Chairman invited Councillor Mike Deacon, Ward Member for Western Felixstowe, to address the Committee.

Councillor Deacon said that he was very much in support of the application and considered that the development would return the area to its proper use for young people to play sport, particularly football. Councillor Deacon noted that the site would enable healthier lifestyles and be run by a very organised club and be well maintained as result. Councillor Deacon was satisfied with the lighting and security conditions and was of the view that the site would in turn open up the development of sports hubs in Felixstowe.

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

A member of the Committee who was also Ward Member for the adjoining Orwell and Villages Ward expressed her support of the application and noted it would have a positive impact on Trimley Red Devils FC, who were based in her Ward.

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

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

## **RESOLVED**

That the application be **APPROVED** with appropriate conditions.

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

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

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

- 170 01 Rev J (Proposed site plan) received 1 September 2020;
- 170 03 Rev J (Proposed plan) received 1 September 2020;
- 170 00 Rev A (Existing site plan) received 12 August 2020;
- 170 02 Rev C (Proposed elevations) received 12 August 2020, and;
- 170 04 Rev A (Proposed location plan) received 12 August 2020.

*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. No additional floodlighting or other means of external lighting shall be installed at the site unless submitted to, and approved by the local planning authority. The details submitted shall include position, operating times, details of luminaires, aiming angles and vertical and horizontal illuminance on areas outside the site. Thereafter only the approved lighting scheme shall be implemented and maintained in accordance with the approved scheme.

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

5. The hereby approved external pole mounted lighting shall only be switched on at times when the hereby permitted structures are open for use and shall otherwise be switched off at all other times unless otherwise agreed by the Local Planning Authority.

*Reason: In the interest 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.

## **12 DC/20/1666/FUL - Former Itron Factory, Carr Road, Felixstowe, IP11 2ER**

The Committee received **ES/0543** of the Head of Planning and Coastal Management, which related to planning application DC/20/1666/FUL.

The proposal was for the change of use and subdivision the former Itron Building at Carr Road, Felixstowe. The site extended to some 1.43 hectares and was located on Carr Road, which is south west of Felixstowe town centre and adjacent (east) of the Port of Felixstowe. The application sought planning permission to repurpose the former manufacturing and research and development building currently in B1(c) use to a mix of Offices B1(a), B1(c) Business Units and B8 Storage Units.

On 1 September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 and introduced significant changes to the system of 'use classes' the Planning regulations which effectively removed classes A, B1, and D1, applicable to retail, office and non-residential institutions and assembly and leisure uses respectively and encompassed them within a new use class E for commercial, business and service, and F.1 and F.2 which applies to learning and non-residential institutions and local community use respectively. Officers noted that storage and distribution use class B8 remained unchanged.

The application was before the Committee as officers were recommending approval contrary to part of policy SCLP12.9 of the Suffolk Coastal Local Plan which seeks to restrict warehousing and storage businesses on this site; in this instance a total 1460sqm out of the 5194sqm total was proposed for B8 use.

The Committee received a presentation on the application from the Principal Planner, who was presenting the application on behalf of the case officer.

The existing and proposed block plans, along with the proposed site layout plan, were displayed to the Committee.

Google street images were displayed that showed the existing building from Carr Road, views to the east and west along Carr Road, looking from and into the site, the frontage of the site, and its relationship with neighbouring residential dwellings.

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

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

The Chairman invited questions to the officers.

A member of the Committee sought clarification on the application's compliance with policy as he considered it to be contrary to policy as it did not accord with SCLP12.9 in its entirety. The Principal Planner explained that level of Heavy Goods Vehicle (HGV) movements that would be generated was considered relatively low and that subsequently the impact to surrounding residents would be considered low.

Officers were of the view that the scale of units proposed for B8 uses would not attract a high level of HGV movements throughout the day and would be likely to be more akin to those expected for deliveries, which was shown in the data provided within the application documents. The Principal Planner said that officers had balanced the introduction of B8 use against other local and national policy and considered that impact would be minimal in terms of impacting on highway safety and residential amenity.

The Vice-Chairman asked if there would be proper and effective control over Heavy Goods Vehicle (HGV) movements on and off the site. The Principal Planner said that the planning process could not control the public highway but could control the site and reiterated the earlier points made about the type of B8 use that was predicted for those proposed units.

The Principal Planner confirmed that she was aware that the route from the site to the Port of Felixstowe traversed residential areas.

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

Members of the Committee expressed significant concern about the B8 use proposed on the site. One member of the Committee considered that the application was contrary to the SCLP12.9, highlighting SCLP12.9(d) which explicitly stated that warehousing or storage activities should be resisted and directed towards land identified under SCLP12.4 or other areas designated for such use.

The Member, who was also Ward Member for Western Felixstowe, highlighted that B8 use had been resisted on this site for some time and was of the view that the application attempted to circumvent SCLP12.9 by stating that only a small proportion of the site would be B8 use. The

Member expressed his support for economic activity, regeneration of redundant sites and the creation of employment but stated that he could not support the application before the Committee.

Another member of the Committee noted the concerns about Heavy Goods Vehicle (HGV) movements on and off the site regardless of scale and highlighted that there were already issues in this regard in the area, which were exacerbated when HGVs took incorrect routes which took them through residential areas.

There being no further debate the Chairman moved to the recommendation to approve planning permission, as set out in the report. There being no proposer or seconder, the recommendation **FAILED**,

The Chairman sought an alternative recommendation to refuse planning permission.

Councillor Bird suggested that the application should be refused as its B8 use element was contrary to SCLP12.9(d); he stated that it should be noted in the Committee's resolution that it was not against the economic regeneration of the site in principle.

The Committee was advised by the Planning Manager that should it wish to refuse planning permission for the reasons suggested by Councillor Bird, the resolution should identify demonstrable harm that would be caused by approving the application in order to make its decision a robust one. Councillor Bird suggested that approving the application would have a consequent adverse effect on nearby residential areas due to increased Heavy Goods Vehicle (HGV) movements.

The Chairman moved to the alternative recommendation to refuse planning permission that had been formulated.

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

### **RESOLVED**

That the application for planning permission be **REFUSED** as whilst the Committee supports the economic regeneration of the site in principle, the B8 use of the application is contrary to policy SCLP12.9(d) of the Suffolk Coastal Local Plan and would have a consequent adverse effect on nearby residential areas due to increased Heavy Goods Vehicle (HGV) movements.

### **13 DC/20/2772/FUL - Land Adjacent to Peeler, Elmham Drive, Foxhall**

The Committee received report **ES/0544** of the Head of Planning and Coastal Management, which related to planning application DC/20/2772/FUL.

Full planning permission was sought for the erection of two new two-storey detached dwellings with associated parking and landscaping at land adjacent to Peeler, Elmham Drive, Foxhall.

The application was presented to the Referral Panel on 6 October 2020 as the 'minded to' decision of the case officer was contrary to Foxhall Parish Council's recommendation to refuse the application. The Referral Panel concluded that the proposal's potential to impact on the local character of Elmham Drive should be debated by the Committee.

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

The site's location plan was outlined, and the Committee was shown an aerial view of the application site.

Photographs were displayed which demonstrated views in and out of the site, and the relationship of the application site to Peeler and Lavenham House.

the proposed block plan and floor plans for the two dwellings were displayed. The Planner noted the buildings would be similar in nature and set back from the frontage of Peeler. Both buildings would be three-bedroom dwellings with open plan dining areas.

The proposed street scene was displayed.

The Committee received the plans of planning application DC/17/5145/FUL, which had been refused and later dismissed on appeal for the details listed at paragraph 2.3 of the report. The Committee was also shown the plans of Lavenham House, which had been built out adjacent to the application site.

The main considerations were stated to be the impact on the character of the street scene, the provision of two new smaller detached dwellings, and the efficient use of land on a large plot.

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

The Chairman invited questions to the officers.

The Planner confirmed that no objections from residents had been received, noting that a letter of support had been received from a neighbour citing the benefit of the proposals.

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

The Committee was in support of the proposal. Members noted that there was a need for smaller dwellings on sites such as the one proposed and were happy to support the application.

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

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

## **RESOLVED**

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

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

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

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

- Drawing no. P/004 Site location plan (Received 24 July 2020);
- Drawing no. P/003/Rev A - Plot 2 Plans and Elevations (Received 21 September 2020);
- Drawing no. P/002/Rev A - Plot 1 Plans and Elevations (Received 21 September 2020);
- Drawing no. P/001 Site layout plan (Received 24 July 2020);
- Drawing no. P/005 Site layout - setting out (Received 24 July 2020);
- Drawing no. P/006 Street scene (Received 24 July 2020);
- Drawing no. P/009 Block plan (Received 24 July 2020).

*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. Before the development is commenced details of the areas to be provided for presentation of Refuse/Recycling bins shall be submitted to and approved 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 unless otherwise agreed by the Local Planning Authority.

*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 shown on approved Drawing no. P/005 Site layout - setting out (Received 24 July 2020) 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. No development shall commence until precise details of a scheme of landscaping works (which term shall include tree and shrub planting, grass, earthworks driveway construction, parking areas patios, hard surfaces, boundary treatments, fencing etc, and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

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

Informatives:

1. 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](mailto: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](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>

2. 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 4.52 pm

.....  
Chairman



**PLANNING COMMITTEE SOUTH**

**Title of Report:** East Suffolk Enforcement Action– Case Update

**Meeting Date** 24 November 2020

**Report Author and Tel No** Mia Glass  
01502 523081

Is the report Open or Exempt?	Open
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**REPORT**

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 26<sup>th</sup> October 2020. At present there are 15 such cases.

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

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

**RECOMMENDATION**

That the report concerning Outstanding Enforcement matters up to 26<sup>th</sup> October 2020 be received and noted.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 21/03/2014 – EN’s served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.</li> <li>• 10/11/2015 – Informal hearing held</li> <li>• 01/03/2016 – Planning Appeal</li> </ul>	31/12/2020

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

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

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

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> <li>• Authorisation granted to serve Enforcement Notice.</li> <li>• 13/09/2013 -Enforcement Notice served.</li> <li>• 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months</li> <li>• 11/07/2014 - Final compliance date</li> <li>• 05/09/2014 - Planning application for change of use received</li> <li>• 21/07/2015 – Application to be reported to Planning Committee for determination</li> <li>• 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015</li> <li>• 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action.</li> <li>• 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> <li>• Further enforcement action to be put on hold and site to be</li> </ul>	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>monitored</p> <ul style="list-style-type: none"> <li>• Review in January 2019</li> <li>• 29/01/2019 - Legal advice sought; letter sent to site owner.</li> <li>• 18/02/2019 – contact received from site owner.</li> <li>• 04/04/2019 – Further enforcement action to be placed on hold and monitored.</li> <li>• Review in April 2021.</li> </ul>	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further</li> </ul>	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>action.</p> <ul style="list-style-type: none"> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> <li>• 01/10/2018 - PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>01/04/2019 – Enforcement Notice served.</li> <li>28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> <li>Start date has now been received, Statements are due by 12/12/2019.</li> <li>Awaiting Planning Inspectorate Decision</li> <li>Appeal Dismissed with variations. Compliance by 20 January 2021</li> </ul>	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> <li>11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>Enforcement Notice to be drafted</li> <li>Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024
ENF/2016/0425	21/12/2016	North	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> <li>EN served on 21/12/2016</li> <li>Notice becomes effective on 25/01/2017</li> <li>Start date has been received.</li> </ul>	31/12/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Public Inquiry to be held on 08/11/2017</p> <ul style="list-style-type: none"> <li>• Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018.</li> <li>• 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018).</li> <li>• Site visit to be conducted once compliance period has finished.</li> <li>• 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action.</li> <li>• Site visit due on 07/01/2019.</li> <li>• 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action.</li> <li>• 26/02/2019 – Update to be given at Committee.</li> <li>• Awaiting update from Legal.</li> <li>• 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply with the Enforcement Notice. An</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019</p> <ul style="list-style-type: none"> <li>• 05/09/2019 – Site visit undertaken, case file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019</li> <li>• 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020.</li> <li>• Site visited. Case currently with the Council’s Legal Team for assessment.</li> <li>• Charging orders have been placed on the land to recover costs.</li> </ul>	
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> </ul>	11/12/2020

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					11/12/2020	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> <li>• Initial complaint logged by parish on 22/09/2015</li> <li>• Case was reopened following further information on the 08/12/2016/</li> <li>• Retrospective app received 01/03/2017.</li> <li>• Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions.</li> <li>• Notice sever by recorded delivery 05/09/2018.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Start letter received from the Planning Inspectorate.</li> </ul>	30/04/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Statement due by 30/07/19.</p> <ul style="list-style-type: none"> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed. Compliance with both Notices by 05/08/2020</li> <li>• Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species.</li> </ul>	
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> <li>• Enforcement Notices served on 10/12/2018</li> <li>• Notice effective on 24/01/2019</li> <li>• 3 months given for compliance</li> <li>• Appeal submitted awaiting Start Date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• Awaiting Planning Inspectorate Decision</li> </ul>	30/11/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Appeal dismissed and amended. Compliance with both Notices by 13/08/2020</li> <li>• Site visit conducted. Some works have been completed but due to Covid-19 pandemic work to remove refrigeration units has been delayed. Extension of time given until 02/10/2020.</li> <li>• <b>Further extension of time given until 30/11/20.</b></li> </ul>	
ENF/2018/0330 /LISTM	17/05/2019	North	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> <li>• Listed Building Enforcement Notice served on 17/05/2019.</li> <li>• Notice takes effect on 20/06/2019. Three months for compliance</li> <li>• Appeal has been submitted, awaiting a start date.</li> <li>• Start date now received by the Council, Statements due by 12/12/2019</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed. Compliance with Notice due by 21/10/2020</li> </ul>	21/11/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• <b>Site visit on 27/10/2020 to check for compliance.</b></li> </ul>	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> <li>• Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>• Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019</li> <li>• Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</li> <li>• Awaiting date of hearing from Planning Inspectorate.</li> <li>• <b>Hearing date set for 02/02/2021.</b></li> </ul>	30/03/202

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> <li>• Breach of Condition Notice served 01/08/2019.</li> <li>• DC/19/4557/VOC Planning application submitted 21/11/2019</li> <li>• Application refused 15/01/2020</li> <li>• Currently within appeal period.</li> <li>• Application received DC/20/1387/AME to amend roof material.</li> <li>• DC/20/1387/AME approved 28/04/2020.</li> <li>• Team monitoring progress</li> <li>• <b>Work due to commence early November 2020.</b></li> </ul>	01/12/2020
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> <li>• Notice served 26/11/2019</li> <li>• Compliance visit to be conducted when possible.</li> <li>• Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step.</li> <li>• Enquires being made to take</li> </ul>	30/11/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>direct action.</p> <ul style="list-style-type: none"> <li>Contractors arranged to undertake the required work.</li> <li><b>Owner arranged for workers to undertake required work in place of Council Contractors.</b></li> <li><b>Site visit due to check compliance.</b></li> </ul>	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> <li>Enforcement Notice served 10/12/2019</li> <li>Awaiting site visit to check on compliance</li> <li>Site visit undertaken, summer house still in situ. Further action to be considered.</li> <li>Property has now changed hands. Contact with new owner to be established.</li> <li>Officers are now in contact with the new owners and are discussing a way forward.</li> <li><b>Six weeks given for summerhouse, decking and steps to be removed.</b></li> </ul>	31/12/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> <li>• 17/01/2020 – Enforcement Notice served.</li> <li>• Appeal received. Statements due by 27/04/2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with amendments. Compliance date 26.12.2020. Judicial review submitted.</li> <li>• <b>Judicial review dismissed. Compliance date 26/12/2020</b></li> </ul>	26/12/2020
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	<ul style="list-style-type: none"> <li>• 30/06/2020 – Enforcement Notice served. Appeal submitted awaiting start date.</li> </ul>	03/12/2020

## **Committee Report**

**Planning Committee South - 24 November 2020**

**Application no DC/20/2976/FUL**

**Location**

Manor Farm  
Hall Road  
Stratford St Andrew  
Suffolk  
IP17 1LQ

**Expiry date** 30 September 2020

**Application type** Full Application

**Applicant** Mr James Terry

**Parish** Stratford St Andrew

**Proposal** Demolition of the existing playbarn and playbarn annex outbuildings which are to be replaced with a new build unit of tourist accommodation, including minor renovation of existing outbuildings to house a home gym and ancillary storage spaces for the farmhouse at Manor Farm, Hall Road, Stratford St Andrew.

**Case Officer** Natalie Webb  
01394 444275  
[natalie.webb@eastsoffolk.gov.uk](mailto:natalie.webb@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. This application seeks the demolition of the existing playbarn and playbarn annex outbuildings which are to be replaced with a new build unit of tourist accommodation, including minor renovation of existing outbuildings to house a home gym and ancillary storage spaces for the farmhouse at Manor Farm, Hall Road, Stratford St Andrew.
- 1.2. The application is presented to the planning committee as the proposal is a departure to the Development Plan. Local Plan Policy SCLP6.5 states that new tourist accommodation comprising permanent buildings will only be permitted within settlement boundaries, however given recent planning permission to use the building to be replaced as a holiday let, officer's consider that the proposal is acceptable and recommend that the application is approved.

## **2. Site description**

- 2.1. The site is not located within any settlement boundary and is therefore identified as being in the countryside for planning purposes (SCLP3.2 and SCLP3.3). The application site is comprised of a large detached building, known as Manor Farm, which is accessed via a single width road (Mill Lane) with a private driveway leading up to the dwelling and barns. There are a number of barns on site; one is a more historical building and considered to be a non-designated heritage asset due to its flint and red brick construction (Long Barn) which along with the barns subject to this application (Play Barn and Playbarn Annex) were permitted change of use to holiday lets and ancillary use associated with Manor Farm (associated works and alterations) under application DC/19/3965/FUL.
- 2.2. Application C9021 allowed for the conversion of one of the barns on site to form granny annexe, which is shown on the block plans and alongside the Long Barn is not subject to this application.
- 2.3. There are no immediate neighbouring properties and the site is abutted by agricultural fields. A public footpath crosses the adjacent field to the east of the site. The site is not within any designated areas and it does not affect the setting of a listed building.

## **3. Proposal**

- 3.1. This application seeks the demolition of the existing playbarn and playbarn annex outbuildings which are to be replaced with a new build unit of tourist accommodation, including minor renovation of existing outbuildings to house a home gym and ancillary storage spaces for the farmhouse at Manor Farm, Stratford St Andrew.
- 3.2. The playbarn and playbarn annex are both mid 20th century outbuildings. The playbarn is a breeze block brick building with fibre cement roof and single glazing. It is not sympathetic to its context. It is entered via the courtyard and internally connects to the Playbarn annex. The annex building is a single storey pitched pantile roof and rendered exterior. Modern single glazed windows have been retrofitted and a doorway from the playbarn into this building has been formed. The Playbarn is the only unoriginal farm building on the site. It sits adjacent to the farmer's field with open views of the landscape to the north. It is a breeze block and brick building with a steel structure, corrugated roof and single glazing. Officer's have previously noted that that these two linked outbuildings are of no historical or architectural merit. Both have previously been used for ancillary recreational purposes associated with the farmhouse.
- 3.3. As existing, the outbuildings are connected via the farmyard which is now a grassed surface with mature shrubbery and a large tree to the south corner of the long barn. The farmyard is maintained with gated access to the extensive grounds beyond to the east of the site. A concrete path leads from the side entrance of the farmhouse to the play barn annex. The outbuildings are detached from the farmhouse by walls to the courtyard and high wall to the farmhouse garden. The Playbarn annex currently has a small patioed area facing south.

3.4. As stated above, the proposal seeks to remove the play barn and annex which are of poor construction and replace these with a single new building which consolidates new tourist accommodation. The new build seeks to provide a high quality four-bedroom, three-bathroom tourist accommodation.

#### 4. Consultations/comments

4.1. One objection has been received to the proposal raising the following matters:

- Design
- Dominating/Overbearing
- Landscape impact
- Other reason
- Principle of Use
- Setting of precedent
- Sustainability

4.2. The above is a summary of the main points raised; full comments are available to view on the Council's website.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Stratford St Andrew Parish Council	11 August 2020	25 August 2020
<p>"The parish council discussed this application in detail and is not in favour of it.</p> <p>The proposed new build is more than twice the footprint of the existing building it will replace. In addition it is not in the same position but moved to allow it to form part of the courtyard. The council's main objection is the size of the build, character and its position in the landscape.</p> <p>it will be two storeys plus the roof which will make it over dominant and inappropriate in the landscape setting. The situation is on a hill overlooking one property in particular and can be seen from the road.</p> <p>The style of the back of the house is very modern with large windows and a huge black box type structure noted by the Design and Conservation Officer 'The design is similar to that presented at pre-app however the projecting element to the east has been changed from a cat slide roof form to a distinct flat roof tower element. The pre-app design was a high quality contemporary reimagining of the traditional forms found elsewhere on the site. I think that the change weakens the cohesiveness of the design approach, introducing a foreign form on the side of a building which otherwise has the form of a traditional agricultural building but is finished in a contemporary way. I think that this element should be reconsidered before any consent is given. '</p> <p>The council agrees with this, the addition is not in keeping with other buildings on the site and provides a visual intrusion on an otherwise unspoiled countryside landscape.</p> <p>The council considers this to be equivalent to a new build rather than a replacement to an existing</p>		

building as it is a different footprint and in a different position. If this application had been made as a new build in the countryside it would not be allowed and as such the council objects to it.”

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	11 August 2020	1 September 2020
<p>Summary of comments: Suffolk County Council (SCC) as Local Highways Authority (LHA) considers that, as the scale of the proposed development will not result in a significant intensification of use of the existing vehicular access onto the highway, the proposal is unlikely to give rise to an unacceptable impact on highway safety. Accordingly, SCC as LHA does not wish to restrict the granting of permission.</p>		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	11 August 2020	12 August 2020
<p>Summary of comments: Recommends the full suite of land contamination conditions.</p>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	11 August 2020	No response
<p>Summary of comments: No representation was received.</p>		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	12 August 2020	No response
<p>Summary of comments: No representation was received.</p>		

Consultee	Date consulted	Date reply received
Ecology (Internal)	12 August 2020	4 September 2020
<p>Summary of comments: Comments received and are incorporated into the Officer's report; full comments are available on the Council's website.</p>		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	12 August 2020	20 August 2020
Summary of comments: Comments received and are incorporated into the Officer's report; full comments are available on the Council's website.		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	29 September 2020	No response
Summary of comments: No representation was received.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	29 September 2020	13 October 2020
Summary of comments: No representation was received.		

### Publicity

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

Category	Published	Expiry	Publication
Departure	22 October 2020	12 November 2020	East Anglian Daily Times

### Site notices

General Site Notice  
Reason for site notice: General Site Notice  
Date posted:  
Expiry date:

General Site Notice  
Reason for site notice: Contrary to Development Plan  
Date posted:  
Expiry date:

## 5. Planning policy

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the*

*development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.*

- 5.2. National Planning Policy Framework (NPPF) (2019)
- 5.3. National Planning Policy Guidance (NPPG)
- 5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant

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

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

Policy SCLP4.5 - Economic Development in Rural Areas (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP6.1 - Tourism (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP6.4 - Tourism Development outside of the AONB (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP6.5 - New Tourist Accommodation (Suffolk Coastal Local Plan, Adopted September 2020)

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

Policy SCLP10.1 - Biodiversity and Geodiversity (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP10.4 - Landscape Character (Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

Policy SCLP12.34 - Strategy for the Rural Areas (Suffolk Coastal Local Plan, Adopted September 2020)

## 6. Planning considerations

### Principle of Development

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that an application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance the Development Plan comprises of the Suffolk Coastal Local Plan (September 2020) which was adopted after the submission of this application and replaces policies within the former Core Strategy and Development Management Policies, adopted in July 2013 and the Site Allocations and Area Specific Policies DPD.
- 6.2. The Local Plan was adopted as being in general compliance with the National Planning Policy Framework ('the Framework').
- 6.3. The proposal broadly follows what was submitted at a pre-application stage, which was considered under the former policies as being acceptable by Officer's. Whilst consideration was given to the emerging policies, the policies were still subject to main modifications and had limited weight. As stated above the policies within the Local Plan are now given full weight.
- 6.4. Local Plan Policy SCLP4.5 explains that proposals that grow and diversify the rural economy, particularly where this will secure employment locally, enable agricultural growth and diversification and other land based rural businesses, will be supported.
- 6.5. The tourism sector is a substantial and important part of the area's overall economy, which brings benefit to the quality of life and the wellbeing of communities. The Council will seek to manage tourism across the plan area in a way that protects the features that make the area attractive to visitors, and supports local facilities where the local road network has the capacity to accommodate the traffic generated from proposals. Proposals which improve the visitor experience and support opportunities for year-round tourism will be supported where increased tourism uses can be accommodated.
- 6.6. Local Plan Policy SCLP6.4 (Tourism Development outside of the AONB) states that:  
  
*“Tourism development outside of the AONB will be supported where it:*
  - a) Enhances the long-term sustainability of the area;*
  - b) Is well related to existing settlements;*
  - c) Avoids, prevents or mitigates adverse impacts on the natural environment and on local landscape character;*
  - d) Is of a scale that reflects the surrounding area;*
  - e) Is of the highest design standards;*
  - f) Minimises light pollution from artificial light sources and ensures the retention of dark skies; and*
  - g) Demonstrates sustainable aspects of the development during construction and throughout the life of the development. Renewable energy provision is strongly encouraged.”*

6.7. Furthermore Policy SCLP6.5 (new Tourist Accommodation) explains that:

*“Proposals for new tourist accommodation will be acceptable where:*

- a) The demand or need for tourist accommodation is clearly demonstrated;*
- b) They are of a high standard of design;*
- c) They are of a scale appropriate to the nature of the site and its setting;*
- d) They do not have a material adverse impact on the AONB or its setting, Heritage Coast or estuaries;*
- e) Covered cycle storage, proportionate to the size of the site is provided on site;*
- f) The road network is able to accommodate the volume of traffic generated without having a significant adverse impact on the free flow of traffic and highway safety;*
- g) Ancillary facilities to support the tourist uses are provided on the site where required; and*
- h) Flood adaptation and mitigation measures are included where required.....”*

6.8. In considering the above, it is not considered necessary for the applicant to demonstrate the need for tourist accommodation in this instance, as the existing building has already been granted holiday let use. As confirmed within the Design and Visual Impact Section of this report, the building is considered to be of a high standard of design, which is of a scale appropriate to the nature of the site and its setting. The site is not within an AONB, Heritage Coast or estuaries. Cycle storage can be provided on site and no objections have been raised by the highways authority in respect of highways safety. The proposal will provide an independent tourism unit, where no ancillary facilities are required (toilet block or kitchen, etc). Flood adaption and mitigation measures are not required in this instance as the site is not within a flood zone.

6.9. Local Plan Policy SCLP6.5 also requires tourist accommodation comprising of permanent buildings to be:

- Within the Settlement Boundaries;
- Through the conversion of buildings of permanent structure where they lie outside the Settlement Boundary;
- On medium and large scale sites where commercial, recreational or entertainment facilities are provided on site; or
- Where such development forms part of a comprehensive masterplan which supports wider landscape and ecological gain.

6.10. The site is located in the countryside for planning purposes and previously sought the reuse of an existing building through its conversion under superseded core strategy policies DM13 and DM18 respectively. This proposal seeks to replace that building with an aim to enhance the existing complex of barns and host dwellings, whilst being more visually attractive in the landscape.

6.11. Given the extant consent of the conversion, it is considered that the principle of having a holiday let on this site is acceptable, and that the main considerations should be whether the new building is acceptable in terms of design and visual impact.

## Design and Visual Impact

- 6.12. The Design and Conservation team gave advice on the proposals at a pre-application stage. The proposed design was considered to be of greater architectural quality than the buildings to be removed and that there would not be a harmful impact on the setting of the adjacent farmhouse and long barn as non-designated heritage assets. However, during the development of the design proposals some revisions have been made and following the submission of the application, concerns have been raised specifically in relation to the design of the projecting element to the north side of the building. This is now intended to have a flat roof rather than the catslide roof form previously proposed. It was considered that this reads as a 'tower element' which weakens the cohesiveness of the design by introducing a foreign form on the side of the building which otherwise has the form of a traditional agricultural building, although designed in a contemporary manner. It was therefore recommended that further consideration should be given to this element of the proposal.
- 6.13. Amended drawings have now been submitted with the height of the parapet reduced to the level of the eaves on the main part of the building and the external facing material has been changed to brick to match the rest of the building rather than black steel cladding as previously proposed. In addition to the revised elevations, further illustrations have also been submitted to show the proposed building in views from the north.
- 6.14. In considering the impact of this element of the proposed building, because of its position on the north side, it is not seen in views from the main farmhouse or the long barn, or in views on the approach from the east, being screened by the main part of the new building. There are more distant views from the north where the proposed building can be seen in conjunction with the farmhouse and the long barn. However, as a consequence of the reduction in height of the projecting wing together with the use of brick as the external facing material, it is not considered that it will be seen as an incongruous feature which is out of character with the rest of the building. It will be read as part of the building overall, blending in with matching brickwork and its form seen against the main roof with its higher ridge line. In conclusion therefore, the design and conservation team consider the revised design of this element to be acceptable.
- 6.15. The application seeks to combine a mixture of brick colours and textures assorted into block panels. The roof will be pantile to add to the medley of red orange hues. Window and door reveals are deep made with powder coated steel sheet surrounds. A large closable corrugated steel door is reminiscent of the existing barn door of the playbarn. The east and west gable ends are inset with corrugated black steel and stained black timber that tie into the black stain timber of the granary and agricultural buildings of the area. The stairs to the east and west balconies are of the same language as the external stairs to the granary (existing annex).
- 6.16. The proposal uses environmental technologies, sustainable materials and construction methodologies to create a development that has a minimal environmental impact on its immediate and wider context. The principle of "Fabric First" has been incorporated into the design of the new build for an extremely well performing building which includes;
- Solar panels facing south,

- Great Thermal insulation - external walls will have thick insulation in the walls to achieve a low 'U' value,
  - Airtightness - airtight membranes and carefully sealed joints will be specified,
  - The new building has triple glazing to achieve excellent 'U' Values. The window frames will be effectively sealed.
- 6.17. The building will have passive ventilation through controllable louvred window panels, positioned for cross ventilation in first floor and where possible on ground floor plan and wall to window ratio based upon Passive House Planning Package (PHPP) software, recommended guidelines to PassivHaus standard. The south elevation has large window openings to allow for ample solar gain. The overhanging roof to the east and west gable elevations will prevent the direct sun from entering the dwelling in summer but allowing low winter light into the interior.
- 6.18. The design and conservation team conclude that the scheme is a high quality, contemporary architectural design which will enhance the setting of the existing non-designated heritage assets; compliant with SCLP11.1 and SCLP11.6.
- 6.19. In terms of the visual impact of the proposal, the quality of landscapes, visible features of land or scenery is a defining feature of the former Suffolk Coastal District and the identity of local communities.
- 6.20. The Suffolk Coastal Landscape Character Assessment (2018) and Settlement Sensitivity Assessment (2018) analyse the sensitivity of settlement fringes, their capacity to accommodate future development and priorities for the enhancement, protection, management and conservation of these landscape areas. The application site is located within the Alde Valley, an area which comprises four landscape types: Rolling Valley Claylands, Rolling Estate Claylands, Rolling Estate Sandlands, and Valley Meadowlands. The strategy for the Alde Valley seeks to:
- Protect the quiet rural character of the villages and maintain their historic feel and the 'back water' qualities of the rural area.
  - Protect the setting of key historic buildings, farmsteads or clusters of traditional built form especially where they enhance the scenic composition of the landscape.
  - Protect traditional farm buildings and avoid inappropriate siting of large-scale modern farm buildings may be visually intrusive in views across the valley.
  - Protect the form of the valleyside settlement clusters.
- 6.21. The proposed development seeks to replace an existing building which already exists in the landscape. Whilst the existing building is smaller than the building which seeks to replace it and noting that the building sits on higher ground than the land to the north, due to changes in land levels and existing landscaping, it is likely that only glimpses of the building would be seen from the public right of way. When balanced against the design quality proposed and how it would improve the aesthetic of the existing farmstead by taking the opportunity to make the host building more of a feature within the landscape by opening up wider views to Manor Farm (and non-designated heritage assets) from the north; it is considered that the proposed development would accord with SCLP10.4.

## Ecology and Suffolk Recreation Avoidance Mitigation Strategy

- 6.22. Having assessed the Ecology Report (MHE Consulting, September 2019) the Council's ecologist is satisfied with the conclusions of the consultant. Although the report refers to the conversion of the playbarn building and this application is for the demolition and rebuilding, the ecological considerations are similar enough that the mitigation measures identified in the report remain applicable. Should permission be granted conditions are recommended in respect of the proposal to be undertaken in accordance with the recommendations within the aforementioned report and external lighting.
- 6.23. In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Deben Estuary SPA; Deben Estuary Ramsar Site; the Alde-Ore Estuary SPA; the Alde-Ore Estuary Ramsar Site; the Alde-Ore and Butley Estuaries SAC; the Orfordness Shingle Street SAC; the Sandlings SPA; the Minsmere-Walberswick SPA; the Minsmere Walberswick Ramsar Site and the Minsmere to Walberswick Heaths and Marshes SAC) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites).
- 6.24. The applicant has paid the relevant contribution on the former application (DC/19/3965/FUL), which the applicant has requested is transferred to this application. Given that the former consent remains extant, depending on which scheme is implemented, the applicant must inform the Local Planning Authority so that the contribution is allocated with the correct consent. Therefore, it is considered that the required contribution has been received and that the proposal accords with SCLP10.1.

### Highway Safety

- 6.25. There is sufficient parking on site to accommodate the proposed development; the development therefore accords with SCLP7.2. The highways authority has not raised any concern in terms of highways safety for the proposed development.

### Residential Amenity

- 6.26. As noted above, there are no adjacent neighbouring properties, as such the proposal is considered to accord with SCLP11.2.

## **7. Conclusion**

- 7.1. The delivery of new tourist accommodation in a location that is recognised by the development plan as being capable of accommodating such development would bring benefits to local service providers and facilities, as well as bringing direct and economic benefits. The proposal meets with the specific aims of the NPPF through the promotion of the rural economy and is therefore considered to be economically sustainable. The proposed works would deliver holiday accommodation in a new building which is considered to be a high quality, contemporary architectural design and would replace the existing buildings which have no historical or architectural merit which were previously granted change of use for holiday letting. It is considered that there would be no harm in respect impact to neighbouring amenity or highways safety as a result of the proposal. The relevant contribution to Suffolk RAMS has been provided. Therefore, proposal is considered

to comply with the adopted development framework and is therefore recommended for approval, subject to conditions.

## **8. Recommendation**

8.1. Approve planning permission, subject to conditions as outlined below.

### **Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's 1808-A3000 and 1818-A3001 received 29/09/2020, 1808-L0101-PP01, 1808-E-001-PP01, 1808-A-1000-PP01 and 1808-A-1001-PP01 received 06/08/2020.  
Reason: For avoidance of doubt as to what has been considered and approved.
3. The construction of the new building shall not commence until details of the roof and wall materials to be used for the new holiday let, have been submitted to and approved by the local planning authority.  
Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.
4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, September 2019) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.  
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
5. No external lighting shall be installed on site unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:
  - a. identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Any 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.

6. The proposed development shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) details of a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/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 activity/development will require a licence.

Reason: To safeguard biodiversity and protected species in accordance with SP14 and DM27 of the Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework (2012).

7. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 2020). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

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

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

8. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation ORMK004 consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

- a) A desk study and site reconnaissance, including:
  - a detailed appraisal of the history of the site;
  - an inspection and assessment of current site conditions;
  - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
  - a conceptual site model indicating sources, pathways and receptors; and
  - a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

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

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

9. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

10. Prior to any occupation or use of the approved development the RMS approved under condition 2 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

12. 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@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

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

CIL forms can be downloaded direct from the planning portal:

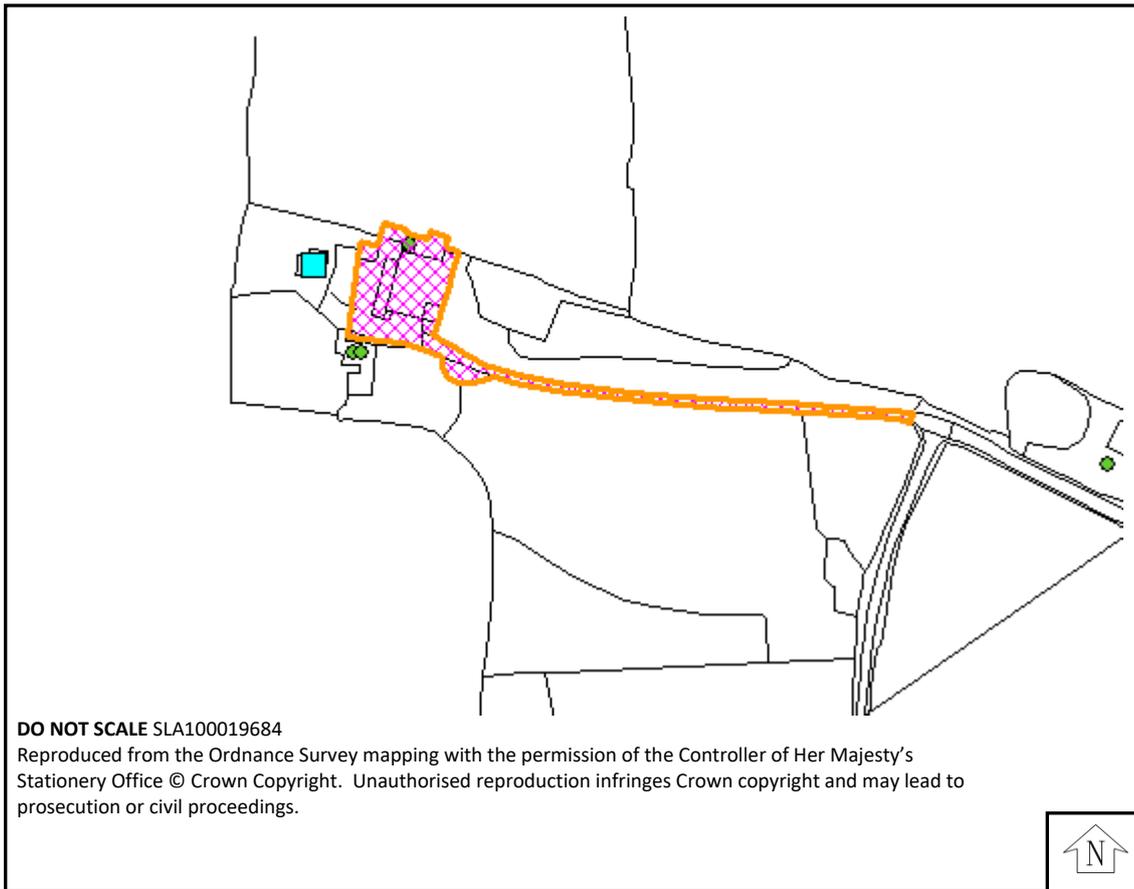
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

## **Background information**

See application reference DC/20/2976/FUL on [Public Access](#)

## Map



## Key

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

## **Committee Report**

**Planning Committee South – 24 November 2020**

**Application no DC/20/2441/FUL**

**Location**

The Spa Beach  
The Promenade  
Felixstowe  
Suffolk

**Expiry date** 17 September 2020

**Application type** Full Application

**Applicant** Ms Laura Hack

**Parish** Felixstowe

**Proposal** Trial for demountable concrete blocks to create a sand platform between groyne 105 and 106 in front of the Spa Pavilion, Felixstowe

**Case Officer** Rachel Lambert  
01394 444574  
[rachel.lambert@eastsoffolk.gov.uk](mailto:rachel.lambert@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. The application proposes to undertake an engineering trial using two of the existing bays that beach huts at the Spa area are usually placed on. Following discussion and detailed feedback from the Coastal Management team, the two bays most appropriate for the trial are Bay C and Bay D.
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the Scheme of Delegation.
- 1.3. Opportunities to retain the siting of beach huts within this location, with access to the beach and enhancing the use of the Promenade is in line with the overall strategy for Felixstowe. The proposal and its part in alleviating coastal erosion has been and will continue to be carefully overseen through partnership working, mitigation and management with the Coastal Management Team.

- 1.4. The proposed works applied for under this application are temporary in nature and further planning permission would be sought should the trialled solution be deemed appropriate.
- 1.5. The proposal does not result in an increase in beach hut provision and there will be no increased harm to visual amenity.
- 1.6. The application is recommended for approval subject to conditions.

## **2. Site description**

- 2.1. The site comprises an area of beach immediately south of Felixstowe Promenade measuring approximately 40 square metres, located directly south of the Spa Pavilion and extending 180 metres westward.
- 2.2. A number of beach huts are currently sited along the adjoining stretch of Promenade. These huts are in private ownership and the owners pay an annual licence fee to the Council to site them. Some hut sites are fixed either on hard-standing or sand and others are on the beach itself. Huts are moved between the beach and the Promenade at the start and end of the season (where beach levels allow).

## **3. Proposal**

- 3.1. The application proposes to undertake an engineering trial using two of the existing bays that beach huts at the Spa area are usually placed on. Following discussion and detailed feedback from the Coastal Management team, the two bays most appropriate for the trial are Bay C and Bay D. The works are proposed to take place so that the temporary platforms remain in place for the 2021 summer season.

### Bay C

- 3.2. Bay C will be built up with sand to create a platform area to a height and depth that the huts are traditionally placed on in April. This will act as the baseline site to determine the natural migratory nature of the sand and shingle within the bays.

### Bay D

- 3.3. Bay D will be subject to an experimental design - building up a concrete retaining wall behind which sand will be infilled and levelled. The wall will be made of interlocking concrete demountable blocks, approximately 2000 mm square by 1000 mm deep built two blocks high with staggered centres. This size of block has been chosen as they are of similar mass to the stones used as part of the sea defences. It is envisaged that the blocks will have a slope built in, to offer greater wave refraction. The lower row of blocks will have weep holes cut into them, to avoid hydro static pressure getting behind the blocks and causing scouring of the sand.
- 3.4. Beach huts (2.1 m x 2.1m in size) will be located adjacent to the Promenade, set back from the blocks by two metres and will be positioned approximately 0.9 metres apart, and set back two metres from the blocks by an area of sand/gravel. Timber steps will be installed from the blocks providing access to the beach.

- 3.5. The blocks are a temporary structure that can be easily removed and stored, should works need to take place to the wall; and can be rebuilt or even removed and stored over the winter period if they are moved by the action of the waves. They will be tailor-made for the purpose of the trial and will have a hook and eyes built into each for ease of assembly/disassembly by way of crane, sited in a location off of the promenade to avoid undue damage to the promenade surface.
- 3.6. Should the trial be successful, a further planning application will be made to reinstate each of the existing bays used for beach huts at the Spa, using this method, with a view that huts will return to the retained sand platforms for the 2022 season.
- 3.7. Relocating beach huts onto either sand platform will not form part of the trial.

#### 4. Consultations/comments

- 4.1. No third party comments have been received.

#### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	28 July 2020	6 August 2020
Committee recommended APPROVAL but ask whether consideration could be given to improving access for disabled people and families.		

##### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	N/A	7 August 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Marine Maritime Organisation	19 October 2020	N/A
Summary of comments: Response referenced guidance regarding marine licences - detail noted as an informative.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Head of Coastal Management	28 July 2020	12 August 2020
Summary of comments: No objection [internal consultee - comments included within reporting].		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	28 July 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	28 July 2020	18 August 2020
Summary of comments: No objection subject to condition(s) [internal consultee - comments included within reporting].		

## Publicity

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

Category	Published	Expiry	Publication
Conservation Area	7 August 2020	28 August 2020	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area
	Date posted:
	Expiry date:

## 5. Planning policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2. National Planning Policy Framework (NPPF) (2019)
- 5.3. National Planning Policy Guidance (NPPG)
- 5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

- Policy SCLP9.3 – Coastal Change Management Area (Suffolk Coastal Local Plan, Adopted September 2020)
- Policy SCLP10.1 - Biodiversity and Geodiversity (Suffolk Coastal Local Plan, Adopted September 2020)
- Policy SCLP11.1 – Design Quality (Suffolk Coastal Local Plan, Adopted September 2020)
- Policy SCLP12.2 - Strategy for Felixstowe (Suffolk Coastal Local Plan, Adopted September 2020)
- Policy SCLP12.14 - Spa Pavilion to Manor End (Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning considerations**

### Principle of development

- 6.1. The resort of Felixstowe, located on the coast and adjacent to the Area of Outstanding Natural Beauty (AONB), is a priority for new tourist activity, where improving the tourism potential is seen as an important element in achieving the regeneration of the town and where providing continued support in principle to the tourist industry remains a priority within the local plan. However, it is recognised that such support needs to be tailored to ensure that any expansion does not materially harm, in particular, the natural, historic and built environment assets that are the main attractions for visitors to the area and which are so important to the quality of life of local residents.
- 6.2. Policy SCLP12.14 (Spa Pavilion to Manor End) of the East Suffolk Council - Suffolk Coastal Local Plan (2020), notes that additional beach huts in this area will be limited to locations that complement the existing resort uses and do not fill the important gaps between huts.
- 6.3. As this proposal does not include the provision of additional beach huts but the means of ensuring there is a suitably engineered solution to the issue of the migratory nature of the sand and shingle within the bays for the beach huts to stand, the matter of beach hut provision does not form a material consideration in this instance. Beach huts provide an essential contribution to the Felixstowe tourist industry, providing a unique seaside experience enjoyed in various locations on the east coast.
- 6.4. Investigating proposed engineered solutions that allow for the retention of beach huts that currently sit within this stretch of the Felixstowe coastline, whilst remedying unnecessary blockages to the promenade, would support the aims of maintaining the tourism industry.
- 6.5. The purpose of the trial fundamentally supports the overall strategy for the town as a thriving coastal resort and major centre (Policy SCLP12.2) and is, therefore, supported in principle.

## Coastal Management

- 6.6. The application has been reviewed by the Coastal Management Coastal Partnership East (CPE) team, who have commented in detail about the proposal. They have no objection to the trial and will support the applicant with monitoring of the performance of the trial.
- 6.7. The CPE team has advised that they intend to continue to provide information and advice to support the applicant in the design of the works, whilst supporting the applicant in consultation with relevant stakeholders and with the preparation of applications for and consents that are required to obtain beach material from local shorelines.
- 6.8. The project will require regular beach management works involving the import of beach material from local donor sites or from elsewhere. The ongoing availability of the required volume and grading of beach material is a significant uncertainty. The applicant has advised that they are aware of this significant risk.
- 6.9. If the trial proceeds the CPE team are to be involved in developing the monitoring plan and be consulted as part of the post-trial review. A proposed monitoring plan is required for both the demountable wall installation and the sand platform, together with confirmation as to what impacts or outcomes would constitute a pass and lead to a proposal for works for permanent beach hut placement. This monitoring plan should include means to collect data including beach profile data at both fill and donor sites, dip measurements taken from top of block to beach at fixed points at four-week intervals and after storms or persistent winds, and photographs from agreed fixed points.
- 6.10. The proposal is for works on the beach where they would be the subject of coastal forces and could affect coastal processes, the full effects of which are to be identified through this works as a means of investigating the potential impacts of a more permanent platform solution. Therefore, in accordance with the approach within Local Plan Policy SCLP9.3 (Coastal Change Management Area), paragraphs 166 to 169 of the NPPF and paragraph 069 of the NPPG, it would be appropriate to condition the length of time these temporary platform works are in place.

## Ecology

- 6.11. East Suffolk Council Ecologist has advised that whilst there is no objection to the principle of the proposal, there appears to be limited information available in the application relating to where material to backfill the site will be sourced from.
- 6.12. Comments raised by the CPE notes the potentially taking of material from two sites, one in central Felixstowe and one in north Felixstowe. Whilst the central Felixstowe site is in a heavily used part of the beach and is, therefore, of limited biodiversity value, the northern Felixstowe area is partly designated as the Felixstowe Ferry County Wildlife Site (CWS). The CWS designation includes recognition of the important vegetated shingle and dune habitats in this area.
- 6.13. As referenced in the CPE comments, any material extraction from this area must not damage its biodiversity value. Further clarification is therefore required sought on the exact areas where material will be sourced from. If any areas of biodiversity value are chosen it must be demonstrated that extraction will not result in an adverse impact, for

example by extracting from within the area exposed to tidal action. Extraction in such areas should be done under a Method Statement, the contents and implementation of which should be secured by planning condition.

#### Amenity and visual impact

- 6.14. The proposed works to Bay C and Bay D will result in a variation of the beachscape, however, given the temporary nature of the trail and the undifferentiated materials proposed any visual impacts are considered negligible. Therefore, the scheme accords with Local Plan Policy SCLP11.1 (Design Quality).

#### Accessibility

- 6.15. As raised by Felixstowe Town Council, consideration should be given to improving access for disabled people and families. The applicants are to be advised that means of accessibility for all users is to be integrated within any further design iterations should the solution be made permanent.

### **7. Conclusion**

- 7.1. The proposal for demountable concrete blocks to create a sand platform (between groyne 105 and 106 in front of the Spa Pavilion) is an engineered solution to coastal erosion that, if deemed suitable, will allow the beach huts that currently sit within this stretch of the seafront to be re-sited from the Promenade on a more permanent basis.
- 7.2. Opportunities to retain the siting of beach huts within this location, with access to the beach and enhancing the use of the Promenade is in line with the overall strategy for Felixstowe.
- 7.3. The proposal and its part in alleviating coastal erosion has been and will continue to be carefully overseen through partnership working, mitigation and management with the Coastal Management team.
- 7.4. The proposed works applied for under this application are temporary in nature and further planning permission would be sought should the trialled solution be deemed appropriate.
- 7.5. The proposal does not result in an increase in beach hut provision and there will be no increased harm to visual amenity.
- 7.6. The scheme for temporary works as part of this trial is therefore in accordance with planning policy and relevant material planning considerations. It is therefore acceptable and recommended for approval subject to conditions.

### **8. Recommendation**

- 8.1. Recommended for approval subject to conditions.

## Conditions

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

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

2. The development hereby permitted shall be for a maximum period of one year from the date that works commence on site, after which time the structure shall be removed to the satisfaction of the local planning authority and the land reinstated to its former condition.

Reason: Having regard to the non-permanent nature of the structure, and that it is being granted as a trial to investigate the suitability of the platform and its impacts upon coastal processes.

3. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings received on 02 July 2020:

- Site location plan;
- Location plan (drawing number: 669225-S2-Rev. P08); and
- Alternative platform solution (drawing number: 669225-S2-Rev. P05).

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

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

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

5. No development shall commence until details of the strategy for the beach material extraction have been submitted to and approved in writing by the local planning authority. This shall specify the location(s) from where material is to be extracted, and include a Ecological Method Statement to ensure that ecological impacts are avoided or adequately mitigated. Thereafter the extraction works shall be undertaken in accordance with the approved strategy.

Reason: To safeguard biodiversity and protected species in accordance with Policy SP14 and Policy DM27 of the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework.

6. No development shall commence until full details of the proposed monitoring plan have been submitted to and agreed by the Local Planning Authority. This monitoring plan should relate to both the demountable wall installation and the sand platform, together with identification what impacts or outcomes would constitute a pass and lead to a proposal for works for permanent beach hut placement. This plan should include means/methods to collect data including beach profile data at both fill and donor sites, dip measurements taken

from top of block to beach at fixed points at four-week intervals and after storms or persistent winds, and photographs from agreed fixed points.

Reason: The hereby permitted scheme is being permitted on a temporary basis to enable investigation of how the coastal processes would be affected by the creation of such a platform. Therefore means to monitor its effectiveness and impacts upon coastal processes need to be identified, so that it can be determined if the scheme is appropriate in terms of longer term coastal change processes, in accordance with Local Plan Policy SCLP9.3 (Coastal Change Management Area), paragraphs 166 to 169 of the NPPF and paragraph 069 of the NPPG.

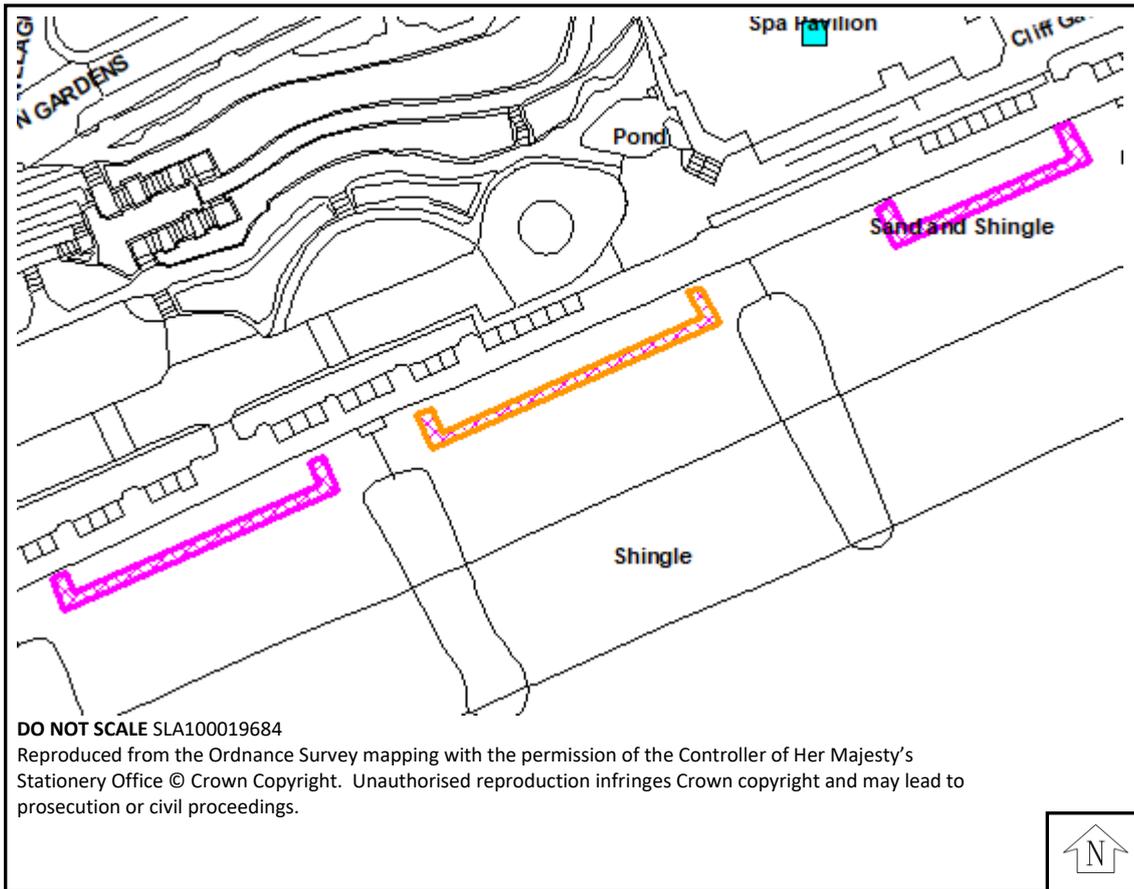
### **Informatives**

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way
2. Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high-water springs mark or in any tidal river to the extent of the tidal influence. Applicants are directed to the MMO's online portal to register for an application for marine licence: [www.gov.uk/guidance/make-a-marine-licence-application](http://www.gov.uk/guidance/make-a-marine-licence-application)
3. The applicant is hereby advised that, if a further application is submitted for a more permanent platform solution, it should include a monitoring report containing the data collected in accordance with the monitoring plan required under condition 6 during the trial period, an assessment of the results of the collected data and conclusions/recommendations, identified as a result of the data collected during the trial works hereby granted.

### **Background information**

See application reference DC/20/2441/FUL on [Public Access](#)

# Map



## Key

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