

**Confirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft on **Tuesday 13 July 2021 at 1pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Elfrede Brambley-Crawshaw, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

**Officers present:** Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Mark Brands (Planning Officer), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Michelle Coupe (Senior Planner), Sarah Davis (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Ben Woolnough (Planning Development Manager)

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**1 Apologies for Absence and Substitutions**

There were no Apologies for Absence.

**2 Declarations of Interest**

Councillor Ashdown declared a Local Non Pecuniary Interest with regard to item 7, Henham, in that the Applicant and he had both served on a Tourism Committee of Waveney District Council at the same time.

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

Councillor Cooper declared he had been lobbied in relation to item 5, Snape, and stated that he had acknowledged each but not responded.

**4 Enforcement Action - Case Update**

The Committee received report **ES/0835** by the Head of Planning and Coastal Management and which was presented by the Assistant Enforcement Officer. The report summarised the status of all outstanding enforcement cases where action had either been sanctioned under delegated powers, or through Committee, up to 24 June 2021 - at present, there were ten such cases. The Committee was advised, at the meeting, that the case on page 12 - land at

Dam Lane, Kessingland - had proceeded to Court in early July, been found guilty and subject to fine.

There being no questions on the report, the Chairman moved to the recommendation which was proposed, seconded and by unanimous vote it was

## **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 24 June 2021 be received.

### **5 DC/21/1200/FUL - Common Edge, Farnham Road, Snape**

The Committee received a presentation by the Case Officer for the application for the erection of a one and a half storey three bay cart lodge and store with tourist accommodation at the first floor level with the front garden of Common Edge, Snape. The ground floor included two parking bays. The application was submitted in parallel with a full application for extensions to the same dwelling. The application had been presented to the Referral Panel on 25 May 2021 and had been referred to the Committee to enable debate on the new cart lodge and holiday accommodation and whether, or not, these might have an adverse impact on the residential amenity of the neighbouring properties, the visual amenity of the vicinity, and on the highway network. The application had been considered by the Committee at its meeting in June 2021 but had been deferred to enable the Case Officer to work with the applicants on amendments to the scheme which included screening on the side of the external stair and the provision of a seating area for visitors. The application was now recommended for approval, subject to conditions, as the scheme, as amended by revised plans, accorded with the Development Plan and was acceptable in terms of all relevant material planning considerations. As stated in the Update Sheet, the Committee noted that condition four (page 26) was to be re-worded to include a restriction that did not allow the occupation of the holiday accommodation for a continuous period of more than 56 days by one person or persons who were not related or working for the household.

The Chairman invited questions.

In response to a question from Councillor Pitchers regarding the revise condition four, the Case Officer stated that occupation for a continuous period of more than 56 days would be allowed if that person was a relative or someone who was working for the household.

Mr Charles Farrant, representative of the Parish Council, was invited to address the Committee. Mr Farrant referred to the Parish Council's written submission. He considered the application to be over-development, despite the size of the site, and was outside the settlement boundary. Mr Farrant said there was concern that this might set a precedent for expansion by default. There was, he said, a wish to protect the visual amenity of the vicinity and a view that traffic matters had not been fully considered; he referred to a curve in the road at the application site and to people often exceeding the 30mph limit. In particular, Mr Farrant emphasised the potential impact on the character of the vicinity. He also said that the tourist accommodation was on the first floor and accessed by stairs, therefore, there was no access for anyone with mobility issues and he suggested that tourist accommodation should be more accessible.

There were no questions for Mr Farrant.

Mr Robert Stewart, the Applicant's Agent, was invited to address the Committee. With reference to concerns that neighbouring properties would be adversely impacted upon and overlooked, Mr Stewart stated that there were established evergreen trees which, visually, separated the two sites. He also said that two new dormer first floor dormer windows would face east over the front garden of Christmas Cottage; these were approximately 30m from the the neighbouring property and over 25m in height, as recommended by the Supplementary Planning Guidance. He added that the landing of the external staircase was at 25m height with medium height hedges/trees as a buffer. A privacy screen had been added to the external stairs. Mr Stewart said the neighbour was unlikely to be impacted by the development and that there would be no loss to light. Mr Stewart stated that the site was 2440m/sq and so one single dwelling was not, he suggested, over-development. He also said that the accommodation would have one double-bedroom and therefore, he suggested, there would be a negligible impact from noise. Mr Stewart said Highways had raised no concerns and that the tourist accommodation would make a contribution to the local economy.

There were no questions for Mr Stewart.

The Chairman invited Councillor Cooper, as Ward Member, to address the Committee. Councillor Cooper referred to his comments, as a consultee, recorded within the published report. He added that the plan indicated trees which, he said, was overgrown hedge and was, therefore incorrect; he suggested that, if cut back, this would make the proposed property much more visible and therefore impact on the visual amenity of the vicinity. Councillor Cooper said that the application had too many unaddressed planning matters.

Councillor Gee asked if there was assurance that the issues discussed at the meeting in June regarding overlooking had been sufficiently addressed. Councillor Ashdown referred to the privacy screen which had been added based on the Committee's comments.

The Chairman invited the Committee to debate.

Councillor Pitchers said the applicant had made the revisions which the Committee had sought. He said he would have welcomed disabled access at the property but acknowledged that this may not be practical. Councillor Brooks reminded the Committee that it had debated the application, at length, at the June meeting and that the applicant's developer had acted in response.

The Chairman moved to the recommendation. This was proposed by Councillor Pitchers, seconded by Councillor Brooks and by a majority vote carried.

## **RESOLVED**

That the application be APPROVED subject to the receipt of RAMS payment and subject to the following controlling conditions.

### Conditions:

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1. The development hereby permitted shall be begun within a period of three years

beginning with the date of this permission.

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with P02b and P03b received 15/06/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. (Revised) The development hereby permitted annexe shall not be occupied or sold as a separate permanent dwelling but shall be used as a holiday let in connection with the use of the dwelling house to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse. The approved holiday unit(s) can be occupied as holiday accommodation but shall be restricted to a continuous period of 56 days by one person or persons who is not a relative, employee or parent of the householder or his/her spouse, within one calendar year. The owner shall maintain, and keep available for inspection at all reasonable times, an up-to-date register of lettings.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right and the proposed unit is suitable for holiday accommodation but not suitable for permanent, independent residential use

5. The use shall not commence until the area(s) within the site on dwg. no. P-02b for the purposes of Loading, Unloading, manoeuvring and parking of vehicles, cycle storage and electric vehicle infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

6. The vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway.

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

7. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, investigation to include Hydrocarbons, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,

- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared if found necessary and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

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

11. Prior to the hereby tourist accommodation first used, a privacy screen shall be erected and retained at a height of 1.7 metres from floor level, on the external staircase of the outbuilding as shown on drawing P-03b received 15/06/2021. It shall be erected

using wooden angled slats in order to reduce the outlook of the staircase while allowing daylight

in. This item shall thereafter be retained in its approved form.

Reason: To avoid the possibility of unacceptable overlooking and loss of privacy to neighbouring properties.

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>

**6 DC/21/1470/FUL - Limosa, 3 Crespigny Road, Aldeburgh**

The Committee received a presentation by the Case Officer. The application sought planning permission for the erection of a first floor extension, alterations to the roof, minor adjustments to the fenestration and associated works. The application had been presented to the Referral Plan on 25 May 2021 and referred to the Committee to enable debate on the design of the extension and the impact on the character and appearance of the area. The Case Officer said the proposed development was considered to be an interesting, contemporary design which would relate to the mixed character of the residential area. It was also considered to be acceptable in its relationship with surrounding properties. The Case Officer said the main works would be the raising of the existing pitched form roof by 300mm, with the material being replaced with a zinc roof finish, the formation of a box clad extension which would be flanked by the raised roof. He added that the box extension, sitting just off centre, would have a wedge profile - lower to the rear and higher to the fore - which would be higher than the ridgeline with prominent fenestration. The box extension would consist of vertical timber cladding and project from the principal elevation by 1.2m. The Case Officer advised that the non-statutory consultee comments within the report had omitted to reflect the response on the Chairman of the Planning Committee of the Aldeburgh Society - these were included within the update sheet.

There were no questions for the Officer.

The Chairman invited Mr Antony Johnson, Objector, to address the Committee. Mr Johnson said the area of Crespigny Road was a very quiet scene of bungalows and chalets with no other first floor developments. He stated that, originally, the property had been a two bedroom bungalow which had been altered to be a four bedroom bungalow, that an extension had then been added and then the application before the Committee for further extension. This was, he said, over-development. Mr Johnson said the proposal was out of keeping with the area and would set a precedence. He added that his property would lose its direct sunlight, particularly in the winter months. Mr Johnson referred to the comments of the Aldeburgh Society which he said were made by a non-elected group and that the Chairman did not live near the proposed development. Mr Johnson said the applicant had removed fencing to increase off-road parking. He added that the first floor bathroom would overlook his home and the window was not glazed.

There were no questions for Mr Johnson.

The Chairman invited Mr Nick Barber, the Applicant's Agent, to address the Committee.

Mr Barber said the proposal was for a property for holiday use and that the application would facilitate this. There was, he said, no change in the development's use. Mr Barber referred to the BRE guide on daylight testing and calculations for planning developments and said that for the application before the Committee this had indicated that there would be no impact. He added that the bathroom was above the neighbouring property and so there was no requirement to obscure the window. Mr Barber said the application complied with highway and parking requirements. He also stated that in Crespigny Road there was one other first floor property in addition to this one. Mr Barber said the Aldeburgh Society had unanimously supported the application and had seen it as appropriate, but exciting and radical. He suggested it would enhance the reputation of Aldeburgh as progressive in its architectural views and that it would be a good addition to the town.

The Chairman invited questions.

The Chairman asked why the bathroom window had not been obscured. Mr Barber said that this could be obscured, but did add that it was above the height at which this was a requirement.

Councillor Cooper asked if the parking on the site, for a four/five bedroomed house, was considered to be sufficient. Mr Barber replied that, at the moment, there were two parking spaces plus a bicycle storage; he added that the parking allowance was in line with Highways requirements.

Councillor Gee asked if the Applicant would be living upstairs or if the bedrooms would be upstairs. The Case Officer said this was not indicated on the plans, but at 1.7m in height, over-looking would be mitigated. Mr Barber said the living accommodation would be on the first floor and looking at the brick wall opposite the premises. He added that the new and innovative design had not increased the footprint of the site.

There being no further questions, the Chairman moved to debate.

Councillor Cooper said that he considered the application to be over-development of a small site. Councillor Rivett said that the design was interesting but agreed that it was over-

development and that the parking was insufficient for the proposed property. Councillor Pitchers liked the design which he said added to the street scene. Councillor Ceresa said that there was no evidence of the sunlight calculation and its impact.

The Case Officer said that, given the distance from the neighbouring property, there were no concerns about a negative impact on daylight. The Planning Development Manager said the BRE guide on daylight testing and calculations for planning developments was not expected to be undertaken for domestic dwellings but the Applicant had provided it and it had been professionally assessed by Officers.

The Chairman proposed that an additional condition be added to obscure the bathroom window with glazed glass. This was seconded by Councillor Pitchers. The Chairman moved to the recommendation which he proposed, was seconded by Councillor Pitchers and by a majority vote it was

## **RESOLVED**

That the application be APPROVED subject to the following conditions:

### Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the application form, design and access statement and drawings 1716 10, 1716 20 A received 25 March 2021.

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 obscure glazed fixed shut windows on the first floor rear elevation as shown on drawing 1716 20 A shall be fitted and remain fitted with obscured glass, which shall have an obscurity of level 3 on the Pilkington obscured glazing range (or equivalent by an alternative manufacturer). These items shall thereafter be retained in their approved form.

Reason: To avoid the possibility of unacceptable loss of privacy to neighbouring properties.

### 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)

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

## **7 DC/21/0857/ARM - Ilium House, Henham Park Estate, Henham**

The Committee received a presentation by the Case Officer. The application was a Reserved Matters submission following the granting of outline planning permission for a new Hall within Henham Park, a Grade II listed Registered Park and Garden. The outline planning permission had been considered by the Planning Committee because the development was contrary to the Development Plan and the Committee's members had requested that any subsequent Reserved Matters application be presented to it for determination. The application's proposals for a new Hall sought to restore and enhance the listed historic parkland by the construction of a large, significant family home to replace the Hall that was demolished in 1953. The Case Officer described the proposed new Hall as restrained, in terms of scale, but a dramatic, contemporary focal point through its form and profile. The Committee was advised that no objections to the application had been received.

The Chairman invited questions for the Case Officer.

Councillor Cooper asked for clarity on the access to the property. The Case Officer displayed a slide which indicated the access; she added that this was the historic approach.

The Chairman invited Mr Rous, the Applicant, to address the Committee.

Mr Rous said he was very keen to improve the landscape of Henham Park Estate which had been without a Hall since the old one was demolished in 1953. He said that the property within the application would be his family home. Mr Rous stated that the contemporary design was perhaps unusual for listed parkland but he was confident it would be a good and sculptural addition to the park.

There were no questions for Mr Rous; the Chairman moved to debate.

The Chairman welcomed the environmentally friendly ambitions of the application. Councillor Pitchers described the design as superb but hoped it would not be too incongruous in the parkland setting. Councillor Gee said she was disappointed in the design which she felt was too modern for the setting. Councillor Brambley-Crawshaw said it the perfect design for the 21st century and that it was not always appropriate to replica the styles of past eras. There was general support for an interesting and contemporary design.

The Chairman moved to the recommendation which was proposed, seconded and by majority vote it was

**RESOLVED**

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

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 19-158-001E; 19-158-210; P-401;P402; P-403; P-404; P200; P201, received 22/02/21; and Design and Access Statement and Heritage Impact Assessment received 03/03/21,, 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.

2. A full specification of external materials shall be submitted to and approved in writing by the local planning authority prior to the commencement of development above ground level.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity and the preservation of heritage assets.

3. Prior to the commencement of development above ground level, details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:

- (i) representative doors and window/glazing detail;
- (ii) eaves, verges;
- (iii) rainwater disposal strategy
- (iv) external hard surfacing areas including steps
- (v) external lighting;

The approved details shall be implemented in their entirety before the unit is first occupied.

Reason: To enable the Council to retain control over the external appearance of the development in the interests of visual amenity and preserving the character of heritage assets: the application did not include the necessary details for consideration.

4. The use shall not commence until the area(s) within the site on dwg. no. 19-158-210 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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)

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loss of payment by instalments, surcharges and other CIL enforcement action.

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

3. The applicants attention is drawn to the necessity to comply with the conditions imposed on the outline planning consent.

#### **8 DC/21/2305/FUL - Gun Hill Beach Cafe, Promenade, Southwold**

The Committee received a presentation by the Case Officer. The application was a retrospective one as the extension had been built. An extension had been added to the existing beach kiosk at the end of the promenade at Gun Hill. The application had been brought before the Committee as the site was located on land within the ownership of the Council. The extension had been built to improve the operational facilities to allow staff to work safely. The scale, form and appearance of the extension respected the character of the existing kiosk and was not considered to cause harm to the significance of the Conservation Area or the character of the Area of Outstanding Natural Beauty. The Committee was referred to the update sheet for additional comments and representations (four in support, 13 in objection) and to the concerns which had been raised about the application being retrospective, increased noise, loss of privacy to the beach huts, over-development, restricted access, increased cooking odours, noise from extraction and ventilation, and fire safety. The response by the applicant to these comments was also provided within the update sheet and the Committee was referred to it.

The Chairman invited questions of the Case Officer.

Councillor Rivett wished to clarify that it remained acceptable to consider the application, which was retrospective, but not described as such in the published report. It was confirmed that this was acceptable as the retention of the extension was being considered.

Councillor Pitchers commented that paragraph 3.2 of the report appeared to be in contradiction of the applicant's comments on the update sheet. The Case Officer said this had been clarified and the plans had been amended to say that the cooking area remained as it had been in the original kiosk and that the extension formed a servery. No additional extraction had been put in place and so it was unlikely that noise levels had increased.

The Chairman asked how long it might take for the applicant to complete a Coastal Erosion Vulnerability Assessment (CEVA). The Case Officer said it was underway and so, she hoped, would not take long to be submitted.

The Chairman invited the applicant, Mr Bryant, to address the Committee.

Mr Bryant said his family had, for seventy years, run two very successful businesses at Southwold with no complaints until, what he described as, a campaign by one family. Mr Bryant said the small extension had been built in 2020 because, in the summer, the temperature inside the kiosk had reached 40 degrees and two members of his staff had fainted. The extension had, he said enabled more natural airflow and increased the light within the structure. Mr Bryant wished to counter the comments made by those who had objected to the extension. He said that it was inaccurate to say access to the steps had been impaired as a one-way system was in place. He added that the servery was only for the

collection of food and so there would not be lengthy queues and there was no cooking done in that part of the kiosk. Mr Bryant also said that access and use of the stand-pipe had not been impacted upon as this was sited some 50yards in the opposite direction. He said it was untrue to say noise from ventilation fans would increase - there had been one small fan in place for twenty years and no mechanical ventilation was proposed. Similarly, Mr Bryant said that odour from cooking would not increase because there were the same number of grills in the same locations - there was no proposal to increase these. Mr Bryant said the extension had improved the situation by increasing the flow of customers and minimising any congregating.

The Chairman invited questions.

Councillor Cooper asked for additional clarity about the handrail and the objectors' comments about this. Mr Bryant said the servery had increased the gap with the beach hut by 2/3ft and because the two picnic tables had been removed. He therefore said it was inaccurate to claim the extension was closer to the beach hut.

There being no further questions, the Chairman invited debate.

Councillor Ceresa said that retrospective applications were generally unwelcome. However, the extension fitted in to the area well and she noted that the Town Council had raised no objections. Councillor Pitchers suggested a condition be added to state that no mechanical ventilation could be added to the kiosk. Mr Bryant said he was happy to have such a condition added but the Committee felt this was unnecessary as should there be any nuisance caused by noise or odours this would be dealt with by Environmental Health. Councillor Brambley-Crawshaw said the business offered a great amenity and added that it had been important for Mr Bryant to act swiftly to protect the safety of his staff.

It was agreed that the proposed condition regarding time limits be removed as this was a retrospective application.

The Chairman moved to the recommendation which was proposed, seconded and by unanimous vote it was

## **RESOLVED**

That the application be APPROVED, subject to the submission of a Coastal Erosion Vulnerability Assessment (CEVA) and it being found acceptable in consultation with the Coastal Management Team, and the following controlling conditions.

### Conditions:

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1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings PL570/03 received 19/05/21 and PL570/01 received 11/05/21, 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.

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

The meeting concluded at 2:40pm

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Chairman