



**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, 26 May 2020 at 2.00 pm**

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/g8kNclnPdt4>.

An Agenda is set out below.

Part One – Open to the Public

1	Apologies for Absence and Substitutions	
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 To confirm as a correct record the Minutes of the Meeting held on 25 February 2020	1 - 10
5	East Suffolk Enforcement Action - Case Update ES/0376 Report of the Head of Planning and Coastal Management	11 - 29
6	DC/19/5049/FUL - Felixstowe Ferry Golf Club, Ferry Road, Felixstowe, IP11 9RY ES/0377 Report of the Head of Planning and Coastal Management	30 - 70
7	DC/20/0952/FUL - 32 Thoroughfare, Woodbridge, IP12 1AQ ES/0378 Report of the Head of Planning and Coastal Management	71 - 91
8	DC/20/1043/FUL - Land to the East of Water Tower, Spriteshall Lane, Trimley St Mary, IP11 9QY ES/0379 Report of the Head of Planning and Coastal Management	92 - 104

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>).

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: democraticservices@eastsuffolk.gov.uk



The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development
www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 25 February 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

Officers present:

Liz Beighton (Planning Development Manager), Laura Hack (Delivery Manager), Rachel Lambert (Planning Officer (Major Sites)), Matt Makin (Democratic Services Officer), Katherine Scott (Development Management Team Leader), Natalie Webb (Area Planning and Enforcement Officer), Ian Woodford (Building Surveyor / Project Manager)

Announcements

The Chairman opened the meeting and announced that item 7 on the agenda, regarding planning application DC/19/4197/FUL, had been deferred and would not be heard at the meeting.

It was explained by the Chairman that the item had been deferred to allow Members to undertake a site visit prior to the application being presented to the Planning Committee at a future meeting. This had been deemed necessary in order to consider matters relating to street scene, parking and overlooking.

1 Apologies for Absence and Substitutions

There were no apologies for absence.

2 Declarations of Interest

Councillor Bird declared a Local Non-Pecuniary Interest in item 9 of the agenda as both a member of Felixstowe Town Council and Vice-Chairman of its Planning and Environment Committee.

Councillor Deacon declared a Local Non-Pecuniary Interest in item 9 of the agenda as a member of Felixstowe Town Council.

Katherine Scott, the Development Management Team Leader (South) declared an interest in item 8 of the agenda as a near neighbour of the site was known to her. Ms Scott left the Conference Room for the duration of the item.

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 28 January 2020 be confirmed as a correct record and signed by the Chairman.

5 Appeal Decisions at Pitfield, Butchers Road, Kelsale Cum Carlton, IP17 2PG

The Committee received a verbal update from the Planning Development Manager regarding three appeal decisions made by the Planning Inspectorate (PINS), regarding applications linked to Pitfield, Butchers Road, Kelsale Cum Carlton.

The Planning Development Manager advised that further detail would be available in the appeals report that would be received by the Strategic Planning Committee at its meeting on 9 March 2020 and invited the Development Management Team Leader to provide a brief synopsis of the appeal decisions to the Committee.

It was confirmed that there had been three appeals related to the site that had been upheld by the Planning Inspectorate (PINS), relating to a legal agreement on the site and conditions on the use of the original holiday let and extension. The PINS had reached an opposite view to that of the Council (as Local Planning Authority) in terms of the site's connectivity to local settlements when reaching its decisions.

The Development Management Team Leader advised that, as a result of the appeal decisions, the legal agreement no longer applied and the two conditions on the use of the original holiday let and extension had been removed from the extant planning permission. When defending its original decision, the Council had argued that the removal of the legal agreement and conditions would impact on tourism and the local economy, and this was noted in the appeal decisions.

The Committee was informed that the emerging Local Plan for the Suffolk Coastal area of the District contained a policy that would seek to retain tourism accommodation and require marketing before holiday lets are converted to residential use.

The Committee also received a brief update on the appeal decision at the Former Council Offices, Melton Hill, Woodbridge. The appeal on the second scheme submitted by the applicant had been dismissed by the PINS as an extant consent was in place that the applicant agreed could be delivered. In its decision, the PINS had noted that Vacant Building Credit did not apply on this site but this was not given as the reason for its decision.

Full details on this appeal decision would be presented to the Strategic Planning Committee at its meeting on 9 March 2020.

6 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0304** 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 27 January 2020. The report detailed 18 such cases.

The Chairman confirmed with the Committee that the report be taken as read.

The Chairman invited questions to the officers.

There being no questions to officers it was

RESOLVED

That the report concerning outstanding enforcement matters up to 27 January 2020 be received and noted.

7 DC/19/4197/FUL - Pinetrees, Purdis Farm Lane, Purdis Farm, IP3 8UF

This application was **DEFERRED** in order for the Committee to undertake a site visit prior to determining the application. This was deemed necessary in order to consider matters relating to street scene, parking and overlooking.

The Chairman advised that she was reordering the remainder of the agenda and that item 9 would be heard before item 8.

9 DC/19/4811/FUL - Manor End, The Promenade, Felixstowe

The Committee received report **ES/0307** of the Head of Planning and Coastal Management, which related to planning application DC/19/4811/FUL.

The application sought to reposition five existing beach huts from the Spa Pavilion area of the promenade along Felixstowe seafront to the end of an existing row of beach huts at Manor End.

The application had been referred directly to the Committee as the landowner and applicant was the Council.

The Committee received a presentation on the application from the Planning Officer (Major Sites). The site location was outlined, and the Committee received aerial photographs of the site area. It was noted that the site was located near to Martello Park, which contained facilities and amenities.

The site layout was displayed, along with the existing and proposed site levels and elevations.

The Committee was shown photographs which displayed views of the site from the Promenade and Martello Park.

The Planning Officer advised that there had been no objections to the application and that one letter of support had been received. The Flood Authority had not objected to the application and the site sat outside of the coastal change management area.

The Chairman invited questions to the officers.

In response to a question regarding the reasons for the relocation of the beach huts the Chairman invited the Delivery Manager, who was present at the meeting, to address the Committee.

The Delivery Manager confirmed that the beach huts were being relocated as due to issues at the current site the beach huts could not be put onto the beach, and owners had expressed a wish to move their huts to the new site.

It was confirmed that there were approximately 13 beach huts on the site; the beach huts being moved to the site were of a similar size.

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

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

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

RESOLVED

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

1. The development hereby permitted shall begin no later than 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 drawings received on 13 December 2019:

- Site location plan;
- Site layout - ME/01 Rev. A; and
- Proposed site levels - ME/02 Rev. A.

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 in writing with the local planning authority.

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

4. The hereby approved building shall be used as a beach hut and for no other purpose unless otherwise agreed by the local planning authority.

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

Informatives

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

8 DC/19/4766/VOC - Home Farm, Wickham Market Road, Easton, IP13 0ET

The Development Management Team Leader left the Conference Room for the duration of this item.

The Committee received report **ES/0306** of the Head of Planning and Coastal Management, which related to planning application DC/19/4766/VOC.

The application sought the variation of condition nos. 2 and 3 of DC/18/1506/FUL conversion of 5no. agricultural buildings to form seven residential dwellings, including change of use of land, new car ports, landscaping and driveways at Home Farm, Wickham Market Road, Easton, IP13 0ET.

The application was presented to the Referral Panel on 4 February 2020 as officers had been minded to refuse the application, contrary to the support received from the Parish Council. It was determined that the application could be determined under delegated powers as there were insufficient material planning considerations raised by consultees to justify taking the application to the Committee.

Following the meeting, amended plans were received which overcame the officer's reason for refusal (the subdivision of plot 7 to create an additional unit; contrary to the approved development). The Referral Panel was notified of the change in the officer's recommendation and subsequently requested that the application was presented to the Committee for determination.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. Members were advised that officers were now content with the proposals and that principle of development had been established by the extant planning permission.

The Chairman invited questions to the officers.

The Area Planning and Enforcement Officer confirmed that the amended plans had removed the subdivision of plot 7 to create an additional unit, which had addressed the officer's reason for refusal and the concerns of Easton Parish Council.

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

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

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

RESOLVED

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

1. This permission is an amendment to the Full Planning Permission, reference DC/18/1506/FUL. The development hereby permitted shall be begun not later than the expiration of three years from the date of 4th July 2018.

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 constructed in all respects strictly in accordance with drawings 311b, 321a, 322b, 331a, 332c received 10/12/19; 302e, 303d and 312d received 03/04/2020 and 300f, 342c and 341g received 04/02/2020.

Reason: To secure a properly planned development.

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. The landscape details shall be implemented as approved by DC/19/0652/DRC on 11th March 2019 unless otherwise 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.

5. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with Drawing Number 300f. Thereafter the access shall be retained in the specified form.

Reason: To improve visibility at the existing access. Works to be carried out prior to commencement so that the construction phase will benefit from the improvements in highway safety due to increased visibility.

6. The areas to be provided for storage of Refuse/Recycling bins shall be implemented as approved by DC/19/0585/DRC on 11th March 2019 unless otherwise submitted to, and approved in writing 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.

7. The use shall not commence until the area(s) within the site shown on Drawing Number 300f 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 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.

8. The areas to be provided for cycle storage shall be implemented as approved by DC/19/0585/DRC on 11th March 2019 unless otherwise submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the storage cycles (garages/car ports need to be of a size suitable to accommodate both cycles and cars - dimensions yet to be provided by the applicant- else other cycle storage areas, additional fixed enclosed storage of minimum size 3m², will be required).

9. The development shall be implemented with the site investigation as approved by DC/19/0585/DRC on 23rd March 2019 unless otherwise submitted to, and approved in writing by, 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. The development shall be implemented with the remediation method statement as approved by DC/19/0585/DRC on 23rd March 2019 unless otherwise submitted to, and approved in writing by, 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.

13. 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.

14. Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof

Class C - alteration to the roof

Class D - erection of a porch

Class E - provision of any building or enclosure

Class F - any hard surface

Class G - provision of a chimney, flue, soil or vent pipe

Class H - installation, alteration or replacement of an antenna

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general.

15. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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

3. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

The meeting concluded at 2.22 pm

.....

Chairman



PLANNING COMMITTEE

Title of Report: East Suffolk Enforcement Action– Case Update

Meeting Date 26 May 2020

Report Author and Tel No Mia Glass
01502 523081

Is the report Open or Exempt?	Open
-------------------------------	------

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 27 April 2020. At present there are 18 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 27 April 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)
2008/0193	17/09/2008	North	25 Kessingland Cottages, Rider Haggard Lane, Kessingland	Breach of Condition Unauthorised use of chalet as main or sole residence	<ul style="list-style-type: none"> • Breach of Condition Notice • Compliance expired following extension of time • Further consideration by Service Manager and Legal • See Enforcement Notice ref 2008/004 for further information – committee aware of personal circumstances of occupants • Officers, seniors and legal held meeting, 23/01/2019 to discuss the options available to move forward with the case. • Contact made with occupants on 6 February 2019 and legal advice been sought on progressing the case. • Further information being gathered from other bodies. • Meeting with Legal 25th November 2019 advised that due to the time passed the Council will not take action on the notice, however the Notice will remain in place. • Will be removed from report next month. 	Following Legal advice, the notice remains in force though due to the time that has passed a decision has been made not to take any action in respect of the notice.

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"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 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 • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 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. • 10/11/2015 – Informal hearing held 	31/06/2020

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"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • 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. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. 	

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"> • Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. • 27/06/2018 – Compliance visit conducted to check on whether the 2010. • 06/07/2018 – Legal advice being sought. • 10/09/2018 – Site revisited to check for compliance with Notices. • 11/09/2018 – Case referred back to Legal Department for further action to be considered. • 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). • 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 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- 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 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. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 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 • Site visited. Case currently with the Council's Legal Team for assessment. 	

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"> • Authorisation granted to serve Enforcement Notice. • 13/09/2013 -Enforcement Notice served. • 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months • 11/07/2014 - Final compliance date • 05/09/2014 - Planning application for change of use received • 21/07/2015 – Application to be reported to Planning Committee for determination • 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 • 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. • 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	April 2021

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"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 - Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. 	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement 	31/07/2020

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision 	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> • 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. • Enforcement Notice to be drafted • Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	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"> • EN served on 21/12/2016 • Notice becomes effective on 25/01/2017 	30/06/2020

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"> • Start date has been received. Public Inquiry to be held on 08/11/2017 • Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018. • 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018). • Site visit to be conducted once compliance period has finished. • 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action. • Site visit due on 07/01/2019. • 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action. • 26/02/2019 – Update to be given at Committee. • Awaiting update from Legal. • 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019</p> <ul style="list-style-type: none"> • 05/09/2019 – Site visit undertaken, case file passed to Legal Department for further action. • Court date arranged for 28/11/2019 • 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. • Site visited. Case currently with the Council's Legal Team for assessment. 	
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"> • 16/11/2017 – Authorisation given to serve EN. • 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period 	31/08/2020

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"> • Appeal submitted. Awaiting Start date • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. • 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. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use 	
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	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ 	05/08/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Retrospective app received 01/03/2017. • 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. • Notice sever by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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"> • Enforcement Notices served on 10/12/2018 • Notice effective on 24/01/2019 • 3 months given for compliance • Appeal submitted awaiting Start Date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed and amended. Compliance with both Notices by 13/08/2020 	13/08/2020
ENF/2018/0276	23/11/2018	North	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> • Breach of Condition Notice served • Application received to Discharge Conditions • Application pending decision 	30/06/2020
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"> • Listed Building Enforcement Notice served on 17/05/2019. • Notice takes effect on 20/06/2019. Three months for compliance • Appeal has been submitted, awaiting a start date. 	30/07/2020

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"> Start date now received by the Council, Statements due by 12/12/2019 Awaiting Planning Inspectorate Decision 	
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"> Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 Stop Notice Served 25/05/2019 comes into effect 28/05/2019. Appeal has been submitted. Awaiting Start date. 	30/08/2020
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"> Breach of Condition Notice served 01/08/2019. DC/19/4557/VOC Planning application submitted 21/11/2019 Application refused 15/01/2020 	03/05/2020

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"> Currently within appeal period. Application received DC/20/1387/AME to amend roof material. 	
ENF/2019/0272 /DEV	16/08/2019	South	Rosery Cottage Barn, Lodge Road, Great Bealings	Change of use of a building	<ul style="list-style-type: none"> Enforcement Notice served 16/08/2019. Appeal submitted, awaiting start letter. 	30/08/2020
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> Notice served 26/11/2019 Compliance visit to be conducted when possible. 	27/03/2020
ENF/2019/0320 /USE	05/12/2019	North	Boasts Industrial Park, Worlingham	Change of use	<ul style="list-style-type: none"> Enforcement Notice served 05/12/2019 Enforcement Appeal submitted, awaiting Start Letter from PINS 	10/05/2020
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> Enforcement Notice served 10/12/2019 Awaiting site visit to check on compliance 	30/06/2020

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"> 17/01/2020 – Enforcement Notice served. Appeal received. Statements due by 27/04/2020 	30/08/2020

Committee Report

Planning Committee – 26 May 2020

Application no DC/19/5049/FUL

Location

Felixstowe Ferry Golf Club
Ferry Road
Felixstowe
IP11 9RY

Expiry date 23 March 2020

Application type Full Application

Applicant Felixstowe Ferry Golf Club

Parish Felixstowe

Proposal Redevelopment of site to provide new clubhouse and new public facilities to include cafe, putting green, toilets and viewing platform, improved access, parking, 5 detached dwellings and associated landscaping, relocation of existing watch tower - existing clubhouse and pro-shop buildings to be demolished.

Case Officer Rachel Smith
01394 444628
rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1 The application site is located towards the north of Felixstowe and occupies a prominent coastal position. The site is within the countryside and partly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The site comprises part of the existing Felixstowe Ferry Golf Club and part of the East Suffolk Council owned Clifflands car park. The proposal involves the redevelopment of the site including the provision of a new clubhouse building, the erection of five new residential dwellings, re-designed access and car parking, a viewing platform and the relocation of the existing Coastwatch mast. The existing golf club pro-shop and clubhouse would be demolished. The application is an 'enabling' development in that profits from the residential properties would be used to

part fund the re-development of the Golf Club which would include a public putting green, public toilets, a public cafe and viewing platform.

- 1.2 The application is being presented to Planning Committee as part of the application site is owned by East Suffolk Council. Committee members carried out a site visit on Tuesday 18th February 2020.
- 1.3 Case for development: Although the site lies outside of the defined physical limits boundary of Felixstowe where new residential development would not normally be permitted, in this case it is considered that there is sufficient public benefit in allowing the proposal that justifies the deviance from policy. The proposal would result in a significantly improved golf club facility and also provide public toilets, a cafe, a viewing platform and putting green at the edge of the AONB. The application is therefore recommended for approval.

2. Site description

- 2.1 The site is located to the north of Felixstowe but lies outside the defined physical limits boundary (FPP2) and is therefore located in the countryside. The site occupies a prominent coastal location with its eastern boundary bordering the coastline. The site includes the existing Felixstowe Ferry Golf Club and to the south of this, part of the Council owned Clifflands car park. The northern part of the site is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and Heritage Coast.
- 2.2 The existing golf club is accessed off Ferry Road. The site includes a pro shop located to the north of the site, close to the Ferry Road access. The existing clubhouse building is a two-storey rendered building located to the south of this with the car park located mainly to the east and south of the clubhouse building. The southern part of the site lies outside of the AONB and currently forms part of the Clifflands car park which is a grassed parking area with access drives currently owned by East Suffolk Council. The application site area also includes a small area further south on the car park which is the proposed site for the relocation of the Coast Watch mast.
- 2.3 The remainder of the site area includes part of the existing 18 Hole Martello golf course which also extends further north towards Felixstowe Ferry. Beyond Ferry Road is the Pay and Play 9 Hole Kingsfleet golf course and driving range.
- 2.4 To the east of the site is the coast which includes the coast path and beach huts on the land side, to the north is the golf course, to the south is the Clifflands car park and on the opposite side of Ferry Road and Cliff Road to the west of the site are residential properties. The residential properties in this location are mainly detached and include a variety of designs and styles with many including balconies or large amounts of glazing to enable views out towards the coast.

3. Proposal

- 3.1 In summary, the application proposals involve the following elements:
 - Demolition of the existing pro shop and Clubhouse Building

- Rebuilding a new clubhouse to include changing facilities and a pro shop on the lower ground floor and members bar, function room, kitchen, guest accommodation, public toilets and a cafe at the upper ground floor level.
- Re arranging and re-landscaping the existing site to provide an enlarged car parking area
- Modify the existing public access road to Clifflands car park with a new gateway entrance to the golf club
- Provide a new public terrace and putting green
- Create a new public viewing platform at the top of the steps for views over the AONB
- Relocate the existing CoastWatch tower and protective fencing
- Erect five detached residential dwellings with garages

- 3.2 The existing pro shop and clubhouse building would be demolished and replaced with a single new building. The design of the new building has been landscape lead, providing accommodation on two levels. At lower ground level, there would be changing areas for golf club members, a pro shop, an undercroft trolley/buggy store and ancillary rooms e.g. communications room, plant room, reception and office. At ground floor level would be the members' lounge/bar area, a function room, kitchen, cafe, public toilets and six hotel-style rooms. Access is available from the public entrance, under the ground floor accommodation to directly access the golf course and lower ground floor accommodation.
- 3.3 The total floorspace provided by the two existing buildings is 1460 square metres and the proposed replacement building would provide 1536 square metres of floorspace, not a significant increase. The existing clubhouse building has a maximum ridge height of 18.46m AOD whereas the existing building has a maximum roof height of 16.75m AOD, despite being constructed to the south of the existing building where the land level is slightly higher.
- 3.4 The design of the proposed clubhouse seeks to respond to its coastal setting and create its own piece of raised landscape through a series of undulating flat, green roofs. It is a contemporary design which has a low scale but spread over a larger footprint (than the existing club buildings) but is partially hidden within the slope of the land and split into different elements, each with a sloping green roof which seeks to 'break up' the footprint of the building and help to define the different areas and uses of the building. The building would have elements of full height glazing but the lighting design, overhangs and louvres will help prevent light spillage. The building would be finished in a variety of materials including stone gabion cladding, concrete blocks with large levels of glazing and louvres.
- 3.5 Access to the clubhouse would be via the existing Clifflands car park exit off Cliff Road. This access would continue to serve as an exit for the Clifflands car park. The main car park would be to the south west of the site with an overflow carpark further north, at the rear of the proposed residential dwellings. Landscaping is proposed within the carpark to soften its appearance.
- 3.6 The proposed dwellings would be a mix of two and three storeys in height. Plots 1 and 2, to the south of the site would be two-storey in scale however Plots 3-5 would extend to three storeys however given the changing levels of the site, the relative height of these properties would not be noticeably higher than Plots 1 and 2. The second storey on Plots 3-5 would be set in, reducing the bulk and prominence of this storey. The proposed dwellings would be rendered with areas of brickwork and timber cladding with a metal roof, also incorporating PV panels.

- 3.7 The residential properties would have integrated double garages with turning space on site. Plots 1 and 2 would share an access, Plot 3 would have its own access off Cliff Road and Plots 4 and 5 would share an access off Ferry Road.

4. Consultations/comments

- 4.1 A total of 75 letters from third parties have been received. 1 of these included comments neither supporting nor objecting to the proposal with 33 objecting to the proposal and 41 in support.

- 4.2 The objections include the following issues:

- Public land should not be sold for unnecessary commercial or residential development
- The AONB should be protected from development
- The proposal should be considered in line with local planning policies
- The undeveloped cliff top area should be protected from development and its peace and tranquillity retained
- The dwellings would set a precedent for further residential development in the area
- The cafe, toilets, putting green and viewing platform are not needed and would commercialise an unspoilt area
- Increase in traffic and road safety issues for vehicles and pedestrians
- If the golf club had financial problems in the future, they could build more houses or increase commercial development and the precedent has been set
- Residential properties would be out of place and spoil the ambiance of the clifftop area
- There would be a loss of 100 parking spaces from the Clifflands car park
- Loss of amenity for residents in Cliff Road due to nuisance from plant, ventilation, extractors, smells etc.
- The location and layout of the Golf course is a health and safety concern - increasing cars and people in the area will make this worse
- The costings are not realistic with income over-estimated, costs under-estimated and minimal contingency. Club has made a loss over the last two years and this is likely to continue
- The openness of the golf course should be retained
- Car park would not be big enough to cope with demand during events
- Existing clubhouse building should be retained and improved. It should be considered as a non-designated heritage asset
- The golf club will be responsible for staffing, servicing and maintaining the public facilities which is an extra cost on their stretched budget
- The open space to the south of the site is already used for leisure activities - the putting green is not needed and will not outside activity
- Drainage system is at capacity
- Grass roof will deteriorate over time
- If future profits are more likely to come from 'events', this will take precedence over members
- There is no new net public benefit
- Site is at risk of coastal erosion
- Housing has small back gardens backing on to a car park therefore providing limited residential amenity, particularly during 'events'
- The failings of the golf club should not result in a burden on the public

- There are limited letters of support from members

4.3 The letters in support raise the following points:

- Development will enhance the area
- Development will support the viability of the golf club
- Improves the landscape
- Improves the amenities in the town
- Innovative design
- Will attract more visitors to the town
- Facility more accessible to the public
- Facility will encourage leisure with proven physical and mental health benefits
- A new building will be more environmentally friendly and have reduced running costs
- It is a realistic option for the development and future of the club
- Improved facility for members and the general public
- Will benefit the local economy

4.4 The letter of 'comment' is in regard to the Health and Safety of a golf club and comments that participating in and social, sporting or leisure activity has an element of risk to it. There have been no serious injuries at Felixstowe Ferry Golf Club in over 100 years and the Golf Club Management would need to consider health and safety and risk as part of their insurance policy.

**5. Consultees
Parish/Town Council**

Consultee	Date consulted	Date reply received
Felixstowe Town Council	3 January 2020	23 January 2020

Summary of comments:
Committee has carefully considered all the aspects of this application, including the relationship with the AONB, the attractive and welcome facility that this new development would provide and other issues, and are therefore pleased to recommend APPROVAL for the development.

In particular, we welcome the modern and environmentally friendly design elements, including the proposed ground source heat pump, PV panels, provision of EV charging points, permeable surfacing and green roof.

However, there are some minor issues of concern:

' The landscaping of the front gardens of the houses on the bend in the road should be designed to ensure clear views for traffic exiting the three driveways.
' We ask that very clear signage be provided in relation to the shared access arrangements for vehicles visiting the golf club and leaving the public car park, so that visitors are aware from the road that there is no entrance to the Clifflands public car park.
' We understand that the planting in the vicinity of the viewing platform will not obscure the view. The drawings of the platform do not indicate its height. We believe that it will offer step-free access, but request that this be confirmed.

' The proposed new café will be a welcome new facility for the town; however, currently there is no dedicated public disabled parking proximate to that location. We would ask that ESC consider providing this.

We note that the drawings show knee-railing to be installed in keeping with existing arrangements, but the drawings do not indicate that they continue for the entire length of the public car park, as currently exists. We assume that this will not be changed by ESC.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	13 March 2020	27 March 2020
Summary of comments: Concerns regarding visibility splays.		

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	7 February 2020	7 February 2020
Summary of comments: No objection		

Consultee	Date consulted	Date reply received
Natural England	3 March 2020	25 March 2020
Summary of comments: No objection - consider need for Appropriate Assessment		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	14 February 2020	28 February 2020
Summary of comments: Comments and concerns		

Consultee	Date consulted	Date reply received
Historic England	8 January 2020	28 January 2020
Summary of comments: Historic England has no Objections to the application on heritage grounds. It meets the requirements of the NPPF and the proposed development does not have an adverse impact to the Heritage asset.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	3 January 2020	6 January 2020
Summary of comments: Approval is recommended subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	3 January 2020	24 January 2020
Summary of comments: We believe that the construction of an additional 5 dwellings in the area would have a detrimental impact on both the AONB and the CWS. We therefore must object to this application as it currently stands.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	3 January 2020	3 March 2020
Summary of comments: No objection - no archaeological mitigation required.		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	3 January 2020	10 January 2020
Summary of comments: 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.		

Consultee	Date consulted	Date reply received
Network Rail	3 January 2020	14 January 2020
Summary of comments: No further observations or comments to make.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights of Way	3 January 2020	14 January 2020
Summary of comments:		

No objection

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	3 January 2020	24 January 2020
Summary of comments: No objections raised.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Internal Drainage Board	22 January 2020	22 January 2020
Summary of comments: None received.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	7 February 2020	7 February 2020
Summary of comments: Recommended refusal. Object to the proposed five dwellings, as they are contrary to policy. Urge that, the application be approved as an 'enabling development', funding for the Martello Tower 'T' is sought as a priority, due to its inclusion on the Heritage at Risk Register.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	8 January 2020	23 January 2020
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
Estates Team	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Ecology (Internal)	3 January 2020	24 January 2020
Summary of comments:		

Comments included in report.

Consultee	Date consulted	Date reply received
Golf England	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
SCDC Enforcement Team	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Waste Management Services	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Head of Coastal Management	3 January 2020	No response
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
Felixstowe Society	3 January 2020	27 January 2020
Summary of comments: Object - Contrary to the Development Plan and NPPF (outside of the physical limits boundary) - Clubhouse is of a high standard of architecture - Erection of 5 dwellings contrary to policy and would urbanise the character, appearance and setting of the AONB - The proposal does not secure the future of a heritage asset and therefore should not be considered as enabling development - Interrupt views of the AONB - Increase in commercial activity		

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

SCDC Rights of Way Officer	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	3 January 2020	21 January 2020
Summary of comments: No objections. Suggests controlling conditions		

Consultee	Date consulted	Date reply received
East of England Tourist Board	3 January 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Suffolk Golf Union	3 January 2020	6 January 2020
Summary of comments: Have no hesitation to support the proposed development.		

Consultee	Date consulted	Date reply received
Sport England	3 January 2020	8 January 2020
Summary of comments: Sports England offers its support for the project, as the proposed development meets the organisations principals.		

Consultee	Date consulted	Date reply received
Suffolk Coalition of Disabled People	3 January 2020	No response
Summary of comments: None received		

Publicity

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

Category	Published	Expiry	Publication
Archaeological Site	16 January 2020	7 February 2020	East Anglian Daily Times
Category	Published	Expiry	Publication
Major Application	9 January 2020	30 January 2020	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Major Application
 May Affect Archaeological Site
 In the Vicinity of Public Right of Way
 Affects Setting of Listed Building
 Date posted: 16 January 2020
 Expiry date: 6 February 2020

General Site Notice

Reason for site notice: Major Application
 May Affect Archaeological Site
 In the Vicinity of Public Right of Way
 Date posted: 3 January 2020
 Expiry date: 24 January 2020

6. Planning policy

- 6.1 On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.
- 6.2 In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 6.3 East Suffolk Council's Development Plan, as relevant to this proposal, consists of:
- East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
 - East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) and;
 - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

6.4 The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) and the East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) are:

- SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- XSP2 - Housing Numbers and Distribution (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP3 - New Homes (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP7 - Economic Development in the Rural Areas (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP8 - Tourism (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP12 - Climate Change (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP21 - Felixstowe with Walton and the Trimley Villages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM20 - Travel Plans (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM24 - Sustainable Construction (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM26 - Lighting (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM28 - Flood Risk (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM32 - Sport and Play (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- FPP1 - New Housing Delivery 2015 - 2027 (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
- FPP2 - Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
- FPP17 - Felixstowe Ferry and Golf Course (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
- FPP18 - Felixstowe Ferry Golf Club to Cobbolds Point (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
- FPP22 - Visitor Management - Special Protection Areas (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))

- FPP24 - Holiday Accommodation (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))

6.5 The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link:

www.eastsuffolk.gov.uk/localplanexamination.

6.6 Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019). There are no policies of that nature relevant to the consideration of this application.

7. Planning considerations

Principle of Development

7.1 The application site lies outside the defined physical limits boundary of Felixstowe and therefore, in planning terms is in the countryside. Policy FPP2 of the Felixstowe Peninsular Area Action Plan sets out that "Proposals for new residential development outside the physical limits boundaries will be strictly controlled in accordance with national planning policy and the strategy for the countryside as set out in Core Strategy policy SP29."

7.2 Policy SP29 relating to the countryside states that development will be limited to "that which of necessity requires to be located there and accords with other relevant policies within the Core Strategy (e.g. Policies SP7 or DM13); or would otherwise accord with special circumstances outlined in paragraph 55 of the National Planning Policy Framework". Policy DM3 sets out a number of examples where new housing may be permitted in the countryside. This includes replacement dwellings on a one to one basis, the sub-division of an existing larger dwelling, affordable housing on 'exception' sites, the conversion of existing buildings, minor infilling within clusters or development which would otherwise accord with the special circumstances outlined in paragraph 55 (now 79) of the National Planning Policy Framework.

7.3 The proposed new dwellings in this proposal do not comply with any of the exceptions as set out in these exceptions and therefore the principle of residential development on the site is contrary to Planning Policy.

7.4 The other main part of the proposed development is the erection of a new clubhouse building to replace the two existing buildings (the club house and pro-shop). The existing golf club site is located within the AONB. Policy SP21 of the Local Plan sets out the vision for Felixstowe which includes aiming to achieve a thriving seaside town and port, attractive to residents of all ages, and welcoming to visitors who wish to experience the town's beautiful coastal location, proud Edwardian heritage, vibrant and diverse retail offer, café-culture and healthy outdoor lifestyle. The proposed development is considered to help to achieve this vision by providing an improved facility available for local people and visitors that is located in a prominent seaside location. The golf club provides a leisure facility

which encourages a healthy and active lifestyle and the location of the proposed café and viewing platform close to the coastal path will be a benefit to those enjoying a walk along the coast.

- 7.5 Although not directly a tourist facility, it would provide a facility available for tourists with a limited amount of tourist accommodation. Policy SP8 recognises Felixstowe as a priority for new tourist activity. Although the existing golf club provides some employment, this offer is likely to be increased as a result of the new facility as a result of an increased number of events and the provision of a café. It is therefore considered that the proposed development would comply with the vision for Felixstowe as set out in the Local Plan.

Enabling Development

- 7.6 'Enabling' development is where an exception to planning policy is permitted in order to allow for development that will provide sufficient public benefit. The local planning authority is supportive, in general, of such proposals and, across the District, a number of successful examples have already been delivered.
- 7.7 Currently, enabling development is only referred to in national policy in respect of the conservation of a Heritage Asset however the local planning authority considers that the same principle can be used for other public benefit including, for example, the enhancement of sports facilities or the provision of coastal defences. The possibilities that 'enabling' development can achieve and the Council's commitment to support this type of development, where appropriate, is detailed in the Final Draft Local Plan.
- 7.8 In this case, the proposal involves the provision of five residential dwellings outside of the physical limits boundary of Felixstowe. Development of these dwellings would help to fund the delivery of the replacement golf club building which would also include the provision of a public café on the seaward side, the provision of three public toilets adjacent to the café, the provision of a putting green and a viewing platform looking out over the coast with views towards Felixstowe Ferry and Bawdsey. It is considered that the provision of the dwellings in this location which is not a remote, rural area but adjacent to the physical limits boundary of Felixstowe, a major centre, providing a wide range of services and facilities is outweighed by the provision of the public facilities which include a café, toilets, putting green and viewing platform. The proposal is considered acceptable in all other respects such as design, landscape impact, residential amenity etc. as detailed below.
- 7.9 In assessing proposals for enabling development, the viability of projects should be detailed in the planning application to ensure that the proposed level of the 'enabling' development is sufficient to make the project viable however such that it would not result in funding provision that would exceed requirements to deliver the project. This application has been submitted with a full viability assessment and business plan setting out the possible options for development of the club including Option 1 being 'do nothing', Option 2 being 'repair and refurbish the existing clubhouse' and Option 3 being the 'new build' option.
- 7.10 Surveys have been carried out on the building in both 2010 and more recently in 2018 and the conclusions of these are set out in the submitted report. In summary, the existing building is in a poor state of repair and would need a relatively significant amount of money spent on on-going maintenance, just to keep the club functioning without offering

any improvement. Option 1 of 'do nothing' would not provide for further income streams and as it is not a medium-longer term sustainable option, this is not economically viable.

- 7.11 The second option would be to repair and re-furbish the existing building. This would be at a not insignificant cost (£1.1 million) and would not include the provision of further enhancements to the building such as a balcony to further appreciate the vista. This would also result in a building with limited further potential to host events given the constraints of the size and shape of the existing building and would be very disruptive during works, losing custom in the short and possibly longer term. Given that this option would be very disruptive and involve a large financial outlay without resulting in a fully appropriate building, it would not guarantee the future of the club and therefore this option is also not preferred.
- 7.12 The third option is to build a new purpose-built clubhouse which would be designed to make the most of the setting of the club and provide members, guests and visitors with an improved experience. Although at a much greater cost, this option would provide the best option for future income streams due to the provision of a purpose built function room enjoying coastal and estuary views and therefore it is anticipated that the number and capacity of functions would increase, dining and bar options and availability would increase all increasing the potential income sources. In terms of the proposed letting accommodation, whilst the existing flat above the pro-shop would be lost, the provision of 6 en-suite rooms would improve the offer for visiting golfers and other guests (compared to the existing bedrooms provided within shared apartments). The provision of the café in a prominent coastal location serving golfers and the public without such a facility in the immediate vicinity would provide a further income stream, as would use by the public of the putting green.
- 7.13 In order to ensure that the 'enabling' development is achieved, it will be necessary to condition the phasing of the development making sure that the public benefits as proposed are provided. In this case, no more than four of the five residential dwellings will be able to be occupied in advance of the provision of the full set of public facilities. Although this trigger point (80%) is late on in the development, the viability report sets out that this is the level of development required to make the project financially viable. Imposing an earlier trigger would make the project unviable. The risk for the local planning authority is that the applicant could develop four dwellings and benefit from the profits of this without providing any public benefit. In this case, it is considered that this is a low risk given the proposed layout of the site which involves the loss of some of the existing car park to provide the dwellings and that it is unlikely that potential purchasers of the new dwellings, which would be high quality buildings advertising sea views, would complete the purchase if the existing clubhouse building were not demolished to enable such a view.

'Major' Development in the AONB

- 7.14 Paragraph 172 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. It goes on to say that the scale and extent of development within these designated areas should be limited and that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

- 7.15 For the purposes of paragraphs 172, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
- 7.16 Although the development falls within the definition of 'major' development as set out in the Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2010, this is a different consideration to the set out in paragraph 172 of the NPPF. The DMPO defines 'major' development as, among other things, being where the floor space of the building to be created would exceed 1000 square metres. The proposed replacement clubhouse building would fall within this category and the site area also exceeds 1 Hectare. Having said this, the development is mainly limited to alterations to existing car parks (both that used by the golf club and the public Clifflands car park) and the new clubhouse building would replace existing buildings. The provision of five dwellings (on part of an existing car park) in addition to a replacement building and the re-configuration of car parks, is not considered to 'major' in the context of paragraph 172. Given that the proposal is for 'enabling' development, the proposal also provides some public benefit.
- 7.17 If the application were to be considered as 'major' development in this context, it should be assessed against a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. In this case, although there are no national considerations, it would have a benefit to the local economy, the development could not happen elsewhere given the location of the existing club and the requirement for the development to be on the site and it is not considered that the proposed development would have a significant impact on the landscape given its current appearance and use which is detailed later in this report in respect of the landscape considerations.

Design

- 7.18 The Clubhouse, although having some socio-historic interest in connection with golf and Felixstowe, has limited architectural merit and was not identified by us at pre-application stage as a Non Designated Heritage Asset as it would fail to meet the minimum of two of our adopted criteria for such an identification. The proposed demolition of the existing clubhouse building does not, therefore, engage paragraph 197 of the NPPF and is therefore not considered to be objectionable. It is however considered that the building should be recorded to Historic England's Level 2 Recording standard prior to demolition.
- 7.19 The submitted Archaeological and Heritage Statement meet the requirements of paragraph 189 of the NPPF and is comprehensive, well considered and acceptable.
- 7.20 The application site does not fall within the Felixstowe Conservation Area and is at some distance from it, such that it is not considered that the site falls within its setting and will not affect its significance.

- 7.21 The typology of the proposed dwellings i.e. relatively large, detached dwellings is considered to be in keeping with the immediate context of the site which also includes large detached dwellings on reasonably sized plots. It is therefore considered that the building typology responds to and reflects the site's context and will not appear alien or out of character with it in that respect. The proposal for dwellings opposite dwellings is also reasonable and these will form the entrance street to the town from Felixstowe Ferry. The design of the existing dwellings opposite is varied in quality and architectural approach but their character is bespoke and some are distinct, that is, they take advantage of their clifftop location and sea views with balconies and large areas of glazing (for example). The design of the proposed new dwellings draws upon this same language, including in terms of 'upside down' living and this, again, adds to its contextuality.
- 7.22 The proposed dwellings would be a contemporary design in terms of their modelling, form, architectural expression and choice and colour of materials. This also reflects the prevailing modern built context which (with the exception of the clubhouse) is mostly later C20th in origin. A key difference between the proposed dwellings and those surrounding them (i.e. opposite on Cliff Road) is that the design quality is much higher.
- 7.23 A key concern that officers raised at pre-application stage was the quantum of dwellings (seven) that provided for a pinched layout with insufficient space between dwellings to reflect their generous scale. The resulting application proposing five dwellings results in a much-improved layout in relation to space between dwellings and their general spatial layout.

Replacement clubhouse

- 7.24 The proposed replacement clubhouse is for a relatively large building in a largely residential context and surrounded by protected landscape in a prominent position and location. It manages to achieve a dual effect whereby it will clearly be read as a local landmark by virtue of its scale and bold, attractive design whilst also mitigating its scale such that its impact will not be over-dominant in bulk or mass. This duality is difficult to achieve but has been managed here with a high degree of refinement and sensitivity to context. It is considered that the designer has understood well that the building should not be eye-catching because it is large and imposing but can be by virtue of the high quality of its design.
- 7.25 The design acknowledges and expresses that it has many faces and many uses - both public and private - with aspects out onto the adjacent public car park, the cliff top, the promenade, the golf course, Cliff Road and its dwellings and key long views from Felixstowe Ferry and Golf Road. Only a contemporary architectural approach has been able to resolve these external constraints and demands (and also the internal programmatic ones) through a language of aggregated forms, varied materials and combination swept roofs (which, incidentally, create an appealing 'fifth' elevation - the roofscape). These all respond to the differing edge conditions of the building but are unified through the use of extensive areas of glazing which also dramatize the design (by day and by night).
- 7.26 The design responds to its function in that its public facing element and uses are configured to relate to and address the public car park which is one that is very well used and includes attractive green open space and key links to the beach and extended coastal

path. In this way, the building has something to offer and with which to join to the public space rather than being an exclusively private use.

- 7.27 The layout includes extensive areas of parking. The layout of this area does break up the areas of parking and includes within them a reasonable level of tree and hedge planting and green space. The effect is considered and will mitigate aspects of this design which could have threatened the setting to the new clubhouse and neighbours' outlook onto the car park.
- 7.28 The materials choice is considered and attractive, incorporating an impressive variety of materials in combination with the critical use of green roofs. This will not be an inexpensive building to construct but it is only acceptable because its design quality - including the materials specification - is high. Officers are keen to set out that they would not wish to see any subsequent diminution of quality which would undermine its justification.
- 7.29 The sum effect of the above provides for a design which has the high potential to add to the growing portfolio of well-designed contemporary buildings that are beginning to landmark Felixstowe with others being the McCarthy and Stone blocks adjacent to Harvest House and the Stanley Road apartment development.
- 7.30 Development impacts on Grade II listed Martello Towers T and U. Martello Tower T is a Listed Building and Scheduled Monument and is in the buildings at risk register. The setting to Martello Towers T and U is formed of their open landscape and seascape surroundings. The Towers had two critical aspects in terms of outlook: their offensive capability facing outwards to sea, to which their ordnance was directed; and their indivisibility which provided defensive capability between the Towers on the landward side - again via ordnance and by the stationed garrison.
- 7.31 Originally, Tower T was surrounded by an extensive military compound (visible on the submitted 1902 OS map), now lost. The Tower then enjoyed an historic association with the golf club/applicant (which still owns it) and was adapted for its purposes, including the addition of a ground floor access.
- 7.32 There has, historically, always been built form in the area of the golf club (the site of a former farm, the farmhouse forming the core of the present clubhouse) and, therefore, the principle of replacing built form with built form is unobjectionable and is considered to have negligible impact on the setting of the Listed Building. It is not considered that the application site, whilst in the setting of the Listed Building, contributes to its significance as its use was not in association with the original use of the Tower. It did, however, form part of the generally open setting between Towers S and T, much of which, of course, has now been developed with housing. The addition of five new dwellings into the same general area of built development will have little impact on the Tower's setting, therefore.
- 7.33 In conclusion, therefore, it is considered that the application proposal will not harm the setting of the Grade II listed Martello Towers T and U and thus their special interest and significance will be preserved such that the relevant NPPF tests are not here engaged and the relevant statutory test in the 1990 Listed Buildings Act is complied with in terms of the desirability of preserving the setting of listed buildings (i.e. free from harm).

Setting of the Scheduled Monument

- 7.34 Historic England have provided comments in relation to the proposed development on the setting of the Scheduled Monument. Although they consider that the proposed development will not have a direct impact on the Martello Tower Scheduled Monument, it would be located within its wider setting. The development would result in an increase in the density of the development to the south of the monument which would erode the rural context of the monument and will result in a slight adverse impact upon the significance of the scheduled monument through an increase in development within its setting. Whilst the proposed development will result in some harm to the significance of the scheduled monument, Historic England are of the view that the level of harm will be less than substantial.
- 7.35 As less than substantial harm to a heritage asset has been identified, the test as set out in Paragraph 196 of the NPPF is engaged. This requires weighing up the harm against the public benefits of the proposal. Whilst Historic England identify a level of less than substantial harm and comment on the requirements of paragraph 196, as they go on to conclude that they have no objections on heritage grounds and that the proposal complies with paragraphs 193 and 194 of the NPPF and that the level of harm to the significance of the designated heritage asset will be slight. This infers that they have no serious objections to the proposal.
- 7.36 The local planning authority is, however required to carry out the test set out in paragraph 196 and assess the level of harm against the public benefit. In this case, public benefits are implicit in the application given the nature of the proposal of 'enabling' development. The provision of five dwellings provides some public benefit insofar as it contributes to the local housing stock. Further public benefit is provided in the short- and longer-term economic benefits of the development as a result of short-medium term jobs during the construction phase and longer-term employment opportunities in the running of the golf club as a business. The proposal also includes the provision of a café open to the public and public toilets and the provision of a viewing platform on the cliff top. Whilst these public benefits are required as part of the 'enabling' scheme, it is considered that the proposed viewing platform would enable views not only out towards the coast and estuary but also of the Martello Tower. Given that the harm to the setting of the Scheduled Monument is considered to be slight, it is considered that, in this case, the public benefits of the proposal out-weight this harm.
- 7.37 Historic England does also note that the Felixstowe Golf Course Martello tower is on the Heritage at Risk Register. They consider that potential exists for the Martello tower to be better utilised as a heritage asset within the golf course complex and that an opportunity potentially exists for a feasibility study and conservation plan for the Martello tower to be secured through a Section 106 agreement. The local planning authority have raised concerns regarding the Martello Tower with the applicants and they are aware of the position. The golf club is not currently in a position where it can invest heavily into this building however, they have indicated that if the clubhouse redevelopment project is successful, they would look into carrying out works to the Martello Tower and its possible future use. This, however, was during an informal discussion and is not binding, nor can anything be secured during this application process. The Golf club remain aware of their responsibilities regarding the structure and the local planning authority will seek to work with and encourage works to this structure in the future, as appropriate.

Tourism and Sea Front

- 7.38 Both the Core Strategy and the Felixstowe Peninsular Area Action Plan (AAP) recognise the economic benefits that tourism in the district can bring and improving the tourism offer is a priority for the Council. Policy FPP17 refers to Felixstowe Ferry and Golf Course. This sets out that the openness of the Golf Course is to be protected as it provides uninterrupted views of the AONB and the sea and that proposals which increase commercial activity in this area will be resisted.
- 7.39 Policy FPP18 refers to Felixstowe Ferry Golf Club to Cobbolds Point. This recognises that the area is characterised by the open green cliff top and undeveloped nature of the seafront with car parking opportunities. It also describes the beach huts and gardens as providing a tranquil and unique character that should be retained and supports proposals that retain the undeveloped and non-commercial character of the area. New development in this area will only be acceptable where it contributes or is essential to support existing tourist activities.
- 7.40 The proposed redevelopment of the golf clubhouse would ensure that the golf course itself remains open and undeveloped. The proposed redevelopment seeks to increase the commercial activity of the clubhouse to help sustain its longer-term financial sustainability. Although this would increase commercial activity, it would be located, broadly, on the same site as the existing commercial activity and although its use is hoped to intensify, it is not offering a substantially different offer to the existing facility and would not affect the openness of the area in this location.
- 7.41 The area south of the golf club is characterised by the open, green cliff top. Again, this proposal would not detract from or significantly change this. Although the proposal involves a slight infringement onto the northern part of Clifflands car park, the majority of this open space would remain unaffected by the proposal. Similarly, as detailed above, the commercial offer, although slightly expanded, would not be significantly different to the current situation and would not adversely impact on the overall open character of the area. Although not essential to support existing tourist activities, the proposed development would provide an improved offer for visitors to the area

Sporting Facilities

- 7.42 The proposal would not result in a significant loss or gain of any sports facilities - just that the ancillary developments to the main use of the site as a golf course would be expanded. England Golf and Suffolk Golf Limited both support the proposed development with the former stating that it will enhance facilities at an existing sports facility to improve the quality of experience for users and attract new people to the facility. Sport England also seek to encourage and secure wider community use of existing and new sport and physical activity provision and provide sport and physical activity provision which is well designed and fit for purpose. They comment that this proposal also meets these principles.
- 7.43 Suffolk Golf Limited have detailed the club's involvement in the sport locally from offering initiatives designed to increase participation in all age groups, helped to establish a junior golf league and stages tournaments. Given the pro-active nature of the club, it is

considered that they are in a strong position to develop both the golfing side and ancillary functions that could be provided in the new and improved facilities.

Landscape

- 7.44 The majority of the application site sits wholly within the Heritage Coast and Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB). The proposal should seek to accord with national and local policies and pay due regard (ref. S. 85 Countryside and Rights of Way Act, 2000) to the statutory purpose of AONB designation which is to conserve and enhance natural beauty. Development proposals within nationally designated landscapes should contribute positively to the purposes of the AONB designation and meet the relevant policy objectives in the Suffolk Coast & Heaths Management Plan 2018-2023. The proposal should also have regard to paragraphs 170 and 172 of the NPPF as the development being proposed is located within the AONB which is also a Valued Landscape.
- 7.45 The development site is located towards the southern end of Felixstowe Golf Course which crosses 2 Landscape Character Types (LCTs), the Coastal Dunes and Shingle Ridges and Coastal Levels LCTs. The Coastal Dunes and Shingle Ridges is characterised by flat or gently rolling landform of sand or shingle. It is a vast open uncluttered landscape with occasional large buildings in the empty landscape. Along short stretches there is paraphernalia associated with tourist activity such as beach huts and piers. Within this LCT, small-scale clusters of low-rise development on the coastal slope, coastal levels or beach is recognised as a key force for change.
- 7.46 While the guidance for this LCT does not recommend that development is totally restricted, it does recognise that the construction of new buildings on the coastal slopes, has the capacity to impact on the setting of this landscape. Where development is permitted, the guidance recommends that the highest standards of design and effective mitigation strategies should be applied to minimise the detrimental impact on both the visual amenity and landscape character of this landscape type. Construction of buildings that project above the skyline should be avoided if possible, while careful positioning or the addition of appropriate planting behind new development is recognised as a useful way to reduce visual and landscape impacts. It also recognises the benefits of reducing the height of new development also to minimise impacts. Within this LCT, the majority of new building is likely to be visible from the saltmarsh and intertidal flats. Therefore, building close to existing built clusters and the use of sympathetic and unobtrusive materials are also recognised as is important for reducing visual and landscape impacts within this sensitive LCT. The above design principles also apply to the Coastal Levels Landscape Character Type.

Design

- 7.47 The overall design of the new club house and residential properties is innovative with a contemporary and unique built form. The AONB team recognise that well designed modern buildings can be delivered within the AONB where they contribute to its conservation and enhancement and where their design and siting is sympathetic to the environment in which they are being proposed.
- 7.48 Dividing the clubhouse building into distinct functional areas, and partially burying part of it, will have the positive effect of breaking up the extensive floorspace thereby reducing

the bulk and mass of the building within the AONB and Heritage Coast landscape. This is also aided by the propose mix and palette of materials

- 7.49 Given the expanse of the glazing proposed there is potential for significant light spillage into the AONB without interventions to reduce it that would have a negative impact on the AONBs defined natural beauty. Several measures have been proposed for integration into the design of the building including aluminium glazing, metal louvres, deep overhangs and the use of sensitive internal lighting. Together these measures will all help to reduce light spillage which is welcomed to help conserve the dark skies and tranquillity of the Suffolk Coast & Heaths AONB.
- 7.50 The proposed Club House will be positioned along the southern boundary of the site closer to the cliff top and sea. It will be 1.7m lower in height than the existing club house. Its long, linear design, reduced height and its positioning will mean that the new club house will not interrupt views to the sea, the Martello Tower, Bawdsey Manor Estate and the landscape of the surrounding AONB in which the site sits.
- 7.51 The proposed dwellings like the new club house will be very contemporary. The new dwellings will sit in spacious gardens reflecting the dominant townscape and settlement pattern along Cliff Road which is typified by large detached dwellings set within generous gardens.
- 7.52 The height of the proposed properties also reflects the height of the buildings close to the site. The properties along Cliff Road are generally 2 storeys whilst the existing club house is 2.5 storeys tall. This has influenced the design of the proposed dwellings. Plots 1 & 2 are 2 storeys while plots 3, 4 & 5 are 3 storeys. Plots 3,4 & 5 will be located on the lowest part of the site and therefore they will not appear as dominant features within the AONB landscape. The number of houses and their proposed layout and orientation will help to maintain some views to the coast for those properties opposite the site and a sense of openness within the wider AONB. A stand of mature trees growing to the north of the proposed housing site, will provide important screening and means that the visual and landscape impacts of the new houses will be reduced. From the north, where views of the new dwellings will be possible, they will be seen against the existing residential backdrop.
- 7.53 Like the club house, the design of the dwellings has been landscape led. The principles embedded in the Suffolk Coast & Heaths Use of Colour in Development Guide have been integrated into the design of the new houses. Different renders, colours and materials have been proposed for use on the building frontages and rear elevations that are characteristic of the landscape in which they are being proposed. The use of dark colour renders and dark materials on the northern and eastern elevations, which face onto the AONB, and the dark mono-pitched roofs will help make the houses more recessive in the landscape and help reduce their visual and landscape impact within the AONB. The mono-pitch roofs proposed on the dwellings reflects the design of the new club house roofscape which will help tie the separate developments together.
- 7.54 Felixstowe Ferry Golf Course, although open in character, and is a heavily modified landscape. The new dwellings will be constructed on an area currently used as a car park for club members while the new club house will be moved further towards the southern boundary of the site. Beyond the golf course's southern boundary is Cliff Road Car Park & Green. The scheme involves including a small piece of this land into the golf club proposal.

The land in question as well as being used for parking, currently houses a number of disparate facilities e.g. a septic tank, portaloos and the coast watch tower. The development will enable the existing portaloos and septic tank to be removed, and the coast watch tower to be relocated to a more suitable location south west of the site boundary. This would 'tidy up' the southern edge of the site which would be a positive enhance at the gateway into the Suffolk Coast & Heaths AONB.

- 7.55 The AONB team concurs with the general conclusions of the LVIA that the scheme as proposed can be delivered without significant harm to the natural beauty of the AONB. It recognises the significant visual change for a small number of residents living opposite the site but also sets out how the proposed design, the sensitive use of colour and materials and appropriate landscaping will significantly reduce the landscape and visual impacts of the scheme.

Ecology

- 7.56 The application site is within the SSSI Impact Risk Zone (IRZ) for the Deben Estuary. The Deben Estuary is also designated as a Special Protection Area (SPA) and Ramsar site, and there appear to be potential impact pathways from the proposed development which may result in adverse impacts on these designated sites. In order to allow the council to assess these impacts, as competent authority under the Conservation of Habitats and Species Regulations (2017), information is required (in accordance with Regulation 63(2) of the Habitats Regulations). Information to inform a Habitats Regulations Assessment (HRA) (also known as a Shadow HRA) has been provided to allow the local planning authority, as competent authority, to undertake a Habitats Regulations Assessment of the proposal.
- 7.57 Whilst a measure to mitigate in-combination increased recreational disturbance impacts from new residential development exists (in the form of the Suffolk Coast Recreational Disturbance Avoidance Mitigation Strategy (RAMS)), assessment of whether other likely significant effects (LSE) on Habitats sites (European designated sites) are likely to arise from the proposal and whether mitigation will be required to prevent an adverse impact on the integrity of such sites needs to be undertaken.
- 7.58 The proposed development is approximately 1.4km from the Deben Estuary SPA and Ramsar site, and also within 13km of the Stour and Orwell Estuaries SPA, the Stour and Orwell Estuaries Ramsar Site, the Sandlings SPA, the Alde-Ore Estuary SPA, the Alde-Ore and Butley Estuaries SAC, the Orfordness-Shingle Street SAC, the Alde-Ore Estuary Ramsar Site, Hamford Water SPA, Hamford Water SAC and Hamford Water Ramsar Site, and therefore Likely Significant Effect pathways were identified.
- 7.59 Appropriate Assessment of the proposal has considered impacts from pollution events (particularly dust and surface water) during construction and recreational disturbance impacts during operation. Subject to the mitigation measures identified it is not considered that the construction or operation of the development would result in an Adverse Effect on the Integrity of the European designated sites identified either "Alone" or "In-combination" with other plans or projects.
- 7.60 The implementation of the following mitigation measures will be secured by condition:
- Production and implementation of a Construction Environment Management Plan (CEMP) including pollution control measures for dust and surface water quality.

- Installation of signage highlighting the importance of the Deben estuary and how to protect it at the new café and on the footpath at the northern end of the golf course (as per the map in the shadow HRA). Signage to be prepared in consultation with the Suffolk Coast and Heaths AONB unit and the Suffolk Coast RAMS team.
- A financial contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) of 5x £121.89 = £609.45 has been secured by upfront payment (£111).

7.61 Having considered the proposed avoidance and mitigation measures above, East Suffolk Council conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European designated sites identified.

7.62 Having made this appropriate assessment of the implications of the project for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received (where necessary), the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

7.63 Natural England has confirmed that they agree with the conclusion of the Local Authority's appropriate assessment record that this proposal is not likely to result in an adverse effect on any international site from recreational disturbance effects. The development is part of the local plan core strategy site allocations, and the proposed mitigation is in line with the agreed Suffolk Recreational Disturbance Avoidance and Mitigation (RAMS) Strategy, and Natural England's guidance.

Impacts on protected species and UK Priority species and habitats

7.64 Notwithstanding the above in relation to designated sites, having read the Preliminary Ecological Appraisal (PEA) (Geosphere Environmental, December 2019) and bat survey report (Geosphere Environmental, September 2019), the local planning authority is satisfied with the conclusions of the consultant in relation to the potential impact of the proposed development on protected species and UK Priority habitats and species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). The implementation of the recommendations made in the reports will be secured by condition.

Landscaping

7.65 A Landscape Masterplan for the site (Drawing LBW1903-01) has been included in the Design and Access Statement (DAS). The planting being proposed reflects the sensitivity of the AONB, the species that grow locally but also includes plants that will thrive in the harsh coastal environment. While the scheme involves the removal of some established hedging, 43 new trees and 600m of new hedging will be planted. The existing asphalt car park will be replaced with a new permeable surface car park which will also be landscaped. The planting, once established, will help soften the visual appearance of the new carpark which is a positive enhancement. New pine trees will be planted along the southern boundary of the site behind the new club house in line with recommendations in the guidelines for the Coastal Dunes and Shingle Ridges LCT. The green roofs will also deliver additional new habitats which is welcomed.

Car parking

- 7.66 Concern has been raised regarding the loss of existing car parking spaces within the Clifflands car park. Some letters claim that the proposal would result in the loss of 100 car parking spaces. This figure is, however, considered to be an over-estimate given the existing design and layout of the car-park. The area of Clifflands car park proposed to be sold includes trees and enclosures and therefore is not all available for parking.
- 7.67 The Council considers the car park to have a total capacity of 600 cars however given its informal layout, it is difficult to assess the 'real' capacity. Suffolk Coastal Norse have provided information obtained from the pay and display machines located within the Clifflands car park. Assuming a 'busy' day has over 200 users per day, figures obtained from April 2018 until January 2020 show that the car park would only be 'busy' for approximately 30 days per year. Whilst it is not possible to ascertain the number of days that spaces within the area proposed to be sold were used or, in real terms, how many spaces this area is able to accommodate, assuming capacity of the car park is 600, there were only 2 days in the last 21 months (7/5/19 with 524 users of the ticket machines and 25/8/20 with 629 users) where the loss of space within Clifflands car park may have caused a problem. However, it should be noted that these are total users during the day and therefore it is unlikely they would all have been in the car park at the same time. These figures do not include RingGo cashless tickets or season tickets for beach hut owners. The RingGo figures account for an average of approximately 4 users per day (in 2019) which is not a significant number. The local planning authority does not have figures for the number of season ticket holders, or how often these are used.
- 7.68 Irrespective of this additional use compared to the above figures, it is considered that the proposed loss of land in the Clifflands car park would not result in a significant loss of car parking spaces such that it would cause such a problem on a vast majority of days. Similarly, the Council has no evidence to suggest that there are any serious problems resulting from the busiest days or that the area proposed to be sold contributes significantly to the space available for parking.

Coastal protection

- 7.69 Based upon current policy and intent for coastal management stated within Shoreline Management Plan 7, the development will be at a very low level of risk from coastal change. Furthermore, the development will have no direct impact on coastal management policy or implementation action. Based upon this assessment and with reference to information in the Felixstowe Peninsular Area Action Plan, the adopted Local Plan and the Suffolk Shoreline Management Plan, there are no objections to the development in this respect.
- 7.70 Suffolk Coastal Local Plan Final Draft Policy SCLP9.3 requires the applicant to prepare a Coastal Erosion Vulnerability Assessment (CEVA). Although there is currently no requirement for this, it was advised as a sensible requirement to ensure that the applicant has considered the future risk from coastal change. The applicant submitted a CEVA which was amended following comments made by the Council's Coastal Management Team which is now acceptable.

Flood Risk

- 7.71 Only the eastern most part of the site boundary lies marginally within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposed development is located within Flood Zone 1. The new residential development of 5 houses and the golf club are classified as a 'more and less vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance.
- 7.72 The application was accompanied by a Flood Risk Assessment. It shows that all of the built development would be located in flood zone 1, the access and egress route travels through Flood Zone 1 and therefore the proposed development does have a safe route of access, flood storage compensation is not required. A flood evacuation plan is not proposed.
- 7.73 The Sequential and Exception Tests are not needed to be undertaken.

Foul Drainage

- 7.74 Foul drainage should follow the drainage hierarchy and as mains drainage is available in close proximity to the site, this should be the preferred solution. The FRA (and drainage strategy) describe a pumped system, pumping up to the mains at a higher manhole off-site. There is no objection provided that this is a pumped system discharging to the manhole identified on page 21 of part 2 of the FRA/Drainage Strategy.

Economic Development

- 7.75 Felixstowe Forward support the project to provide a new clubhouse building including function facilities, a café and public toilets. It will be an asset to both the local community and the Tourism market with its location close proximity to the AONB. Tourism is a key driver of economic growth (seen in the East Suffolk Economic Growth Plan) and the primary aims, as described in the East Suffolk Tourism Strategy, are to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences.

Highways

- 7.76 The Highways Authority initially raised a number of comments and concerns regarding the proposal including visibility splays for the accesses. Following the receipt of revised plans and a site meeting with the Highways Authority, there are now no objections to the proposal subject to conditions.
- 7.77 The proposed accesses have appropriate visibility and the proposed level of parking for the residential and clubhouse buildings are considered acceptable.

Surface Water Drainage

- 7.78 Suffolk County Council, Flood and Water Management Team have reviewed the information submitted in support of the application with reference to Surface Water Management. They recommend approval of the application subject to conditions that require the surface water disposal strategy to be as proposed and that details of all

Sustainable Drainage Components and piped networks have been submitted and agreed for inclusion on the Lead Local Flood Authority's Risk Asset Register. There is therefore no objection to the proposal on the grounds of surface water drainage.

Residential Amenity

- 7.79 The proposal involves the creation of five new residential dwellings. These would be located around the north west corner of the site and would front Cliff Road/Ferry Road. The proposed dwellings would face out over the public highway and would not directly impact on any existing properties as a result of a loss of light, privacy or outlook. The proposed new dwellings would impact on views from the front of some existing properties on Cliff Road however the loss of a view is not a material planning consideration. There are four existing properties on Cliff Road/Ferry Road that would be most affected. The southern-most of these, 125 Cliff Road would not have their direct view significantly affected as the proposed new dwellings would be located slightly to the north. Proposed plots 1 and 2 would be located opposite 127 and 129 Cliff Road. The view from these properties would be the most affected. Although the existing clubhouse building would currently affect the direct view from the front of these properties, as it is further away than the proposed dwellings, wider views towards the sea are possible from these dwellings either side of the clubhouse building. Views would still be possible to the side of the new dwellings however they would be more restricted. 252 Ferry Road is a single-storey property and therefore does not currently benefit from a first-floor balcony or windows facing towards the sea.
- 7.80 The proposed new dwellings have been designed as 'upside-down' houses with the main living accommodation being provided at first floor level to make the most of the coastal views. The Plots orientated west-east with a relatively deep plan form. As they have a relatively deep plan, there are some windows proposed on the side elevations of the first floors. As the properties are designed to make the most of the coastal outlook, views would be directed east towards the sea. The properties also all feature balconies which mainly face out towards the coast. There would, however, inevitably be a degree of mutual overlooking from these raised areas however this to be expected in a development with the emphasis being on the ability to achieve sea views. Many of the existing properties on Cliff Road have balconies on their front elevations in full public view and these, therefore, do not provide a level of privacy that might otherwise be expected. Often, balconies have screens to direct views in one particular direction. It was considered whether this would be appropriate in this case and it was considered that it would not be necessary to require this given the public and open nature of their immediate setting with the golf course to the east of Plots 4 and 5 and the car park to the east of Plots 1-3. The design and layout of the properties will be available for any prospective purchasers to view and therefore it would be possible to consider whether the degree of overlooking between properties would be a concern for them.

Events noise

- 7.81 There is also potential for nuisance coming from the number, frequency, duration and type of events and functions held, and importantly how these events are managed. This is currently an unknown quantity. The noise report implies that the club already holds functions and therefore this is a continuation of that. However, the clubs improved facilities and outlook are likely to make it a more popular venue and the split of club and

function facilities are likely to provide more potential for holding functions, it is therefore likely that the club and area will see an increase in the number of functions and events held. This is not necessarily an issue but the assumptions of the noise report should be treated cautiously and the club will need to pay careful attention to event management. Should the Council receive complaints, there will be a duty to investigate. Should those complaints be substantiated there will be an expectation that the club will cooperate in resolving the matter and should be aware of the consequences of formal action should it not.

- 7.82 The club has designed the function facilities in such a way that it can control noise emissions as far as possible, for example it has given consideration to windows and doors being only on the façade facing away from residential premises. Further considerations could be such things as visiting entertainers (bands and DJ) only being able to use a club sound system which can be controlled by the event manager and simple measures such as closing windows and doors should it be necessary to do so during amplified music.
- 7.83 As the noise report has considered the matter of nuisance from functions and events (and other club use) and reasonably concludes that it can be managed in such a way as to prevent nuisance, no objections are raised as it is an unknown quantity and the nuisance legislation exists to deal with any problem in future. It is for the club to manage events in such a way as to prevent nuisance and the conclusions of the noise report although reasonable are not a defence in so far as they are based on unknowns.
- 7.84 A condition will be imposed restricting hours of opening to 7.00am until midnight every day (unless a temporary license is granted for special events, for example, New Year's Eve).
- 7.85 The Council's Environmental Protection Team raise potential concerns regarding noise from fixed plant or machinery and is concerned about possible odour. Controlling conditions are therefore suggested in this respect.

CoastWatch mast

- 7.86 The application also proposes the re-siting of the existing Felixstowe CoastWatch mast and enclosure to a location further south within the existing Clifflands car park. Planning permission (DC/16/4470/FUL) was originally granted for the mast as it was considered that it provided significant community benefit and would not have a detrimental visual impact. The existing mast is located close to the boundary of the AONB and the proposed location would be further away from this designation. The location of the mast is determined by where it can be practically sited. It would not be located in close proximity to any residential properties and although it would be visible from the carpark and from views from Cliff Road, it is not a solid or dominant feature that would significantly detract from its surroundings. It is therefore considered that this element of the proposal is acceptable.

8. Conclusion

- 8.1 The proposed application will deliver a replacement club house and introduce new built development (5 dwellings) at the gateway into the Suffolk Coast & Heaths AONB. Although the principle of the new housing development in this location is contrary to policy, the scheme is considered acceptable in this case as an enabling development. It would provide

a high quality, contemporary and innovative design which has been landscape led in response to the high sensitivity of the receiving AONB/Heritage Coast landscape in which it is being proposed. The scheme will deliver a number of positive benefits, including an exceptional and unique enhanced leisure facility for Felixstowe, improved public facilities for visitors including a café, public toilets, viewing platform and putting green as well as landscape and biodiversity enhancements. The proposal can be delivered in a way, through high quality design, the use of appropriate colour and materials and sensitive landscaping that conserves and enhances the natural beauty of the AONB/Heritage Coast.

8.2 The application is therefore considered to be acceptable.

9. Recommendation

9.1 Approve subject to controlling conditions detailed below.

10. Conditions:

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

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

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

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

5353 PB

2019 34 02,

Design and Access Statement

Environmental Report

Transport Statement

Landscape and Visual Appraisal

Flood Risk Assessment

Coastal Erosion Vulnerability Assessment

Bat Roost Survey

Ecological Appraisal and Bat Scoping Survey

Business Plan and Viability Statement

Noise Assessment

Tree Survey Report

Archaeological and Heritage Assessment

Planning Statement

Needs Statement

Landscape Masterplan

Statement of Community Involvement

All received 24 December 2019

5353_PA 200 received 30 January 2020

Coastal Erosion Vulnerability Assessment Revision C received 7 February 2020

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

Drawing nos. 5353_PA_103R and _104J received 13 March 2020

5353_PA_209A received 15 April 2020

5353_PA_005A received 16 April 2020

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

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

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

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

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

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

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

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

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

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

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

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

8. No development above slab level shall commence until details of a hard and soft landscaping scheme including boundary treatments should be submitted and approved, in writing, by the Local Planning Authority. The soft landscaping plan should include plant species, number,

location and sizes of the proposed planting. The plans should clearly show the position of new fencing in relation to existing and proposed planting.

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

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

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

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

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

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

- c) show that light spillage will be minimal and not adversely affect the character or appearance of the AONB or Heritage Coast landscape.

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

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

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

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

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

Reason: To ensure that nesting birds are protected.

13. No development, demolition, site clearance (including clearance of vegetation) or earth moving shall take place, or material or machinery be brought onto the site, until a plan detailing Reasonable Avoidance Measures (RAMS) for how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.
Reason: To ensure that ecological receptors are adequately protected as part of the development.
14. Prior to commencement of development above slab level, an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, shall be submitted to and approved in writing by the local planning authority. All enhancements as agreed in the Strategy shall be incorporated into the scheme prior to use of the clubhouse and shall be retained in their approved form thereafter.
Reason: To ensure that the development delivers ecological enhancements.
15. As stated in the Noise Assessment by Sharps Redmore dated 16th December 2019, the new residential properties shall be constructed in accordance with the noise insulation requirements of BS8233:2014. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below:
 - Daytime noise levels for indoor living spaces of 35dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Daytime noise levels for outdoor areas; garden and amenity space of 50dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Night-time noise levels for bedrooms of 30dB LAeq and 45 dB LAmax 8 hour (between the hours of 23:00 - 07:00 hours)Reason: To ensure that the new residential dwellings will benefit from an appropriate level of residential amenity with respect to noise.
16. Prior to the installation of any fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant), a noise assessment should be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. Only the approved plant and/or machinery shall be installed along with any mitigation as necessary and be retained in its approved form thereafter.
Reason: To ensure that noise from fixed plant or machinery does not result in unacceptable levels of noise for neighbouring residents.
17. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business and be retained thereafter.
Reason: In order that the residential amenity of neighbouring residents is not adversely affected.

18. With the exception of the six holiday letting rooms, the clubhouse building shall only be open to the public between 07:00 and 00:00 with the exception of six nights in any calendar year when the clubhouse can be open to the public until 01:00 only in accordance with the relevant event license.
Reason: In order to control the impact of the use on neighbouring residents' amenity.
19. Prior to the commencement of development, a Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled. The approved scheme shall be implemented in full throughout the duration of the construction phase.
Reason: In order to reduce nuisance to the occupiers of neighbouring properties.
20. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:
a) As deemed necessary following the desk study, site reconnaissance and intrusive investigation,
Further intrusive investigation including:
- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:
human health, ground waters, surface waters, ecological systems and property (both existing and proposed).
All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
21. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

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

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

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

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as

contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and

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

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

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

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

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

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

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

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

27. Drainage shall be by pumped system discharging to the manhole identified on page 21 of part 2 of the FRA/Drainage Strategy

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

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

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

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

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

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

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

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

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

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

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

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

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

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

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

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

34. The use shall not commence until the area within the site shown on submitted drawing number PA_104 Rev J for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.
Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
35. Prior to the creation of any new access hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
Reason: To prevent hazards caused by flowing water or ice on the highway.
36. Prior to occupation of any of the dwellings hereby permitted, details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.
37. Before the residential part of the development is occupied, a footway shall be provided in accordance with footways shown on submitted drawing numbers PA_104 Rev J and 1906-36--_005A details of which shall be submitted to and approved in writing by the Local Planning Authority. The approved footway scheme shall be carried out in its entirety and shall be retained thereafter in its approved form.
Reason: To provide a safe access to the site for pedestrians.
38. Before the residential part of the development is occupied a gateway entrance scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved gateway entrance scheme shall be carried out in its entirety and shall be retained thereafter in its approved form.
Reason: In the interests of highway safety

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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

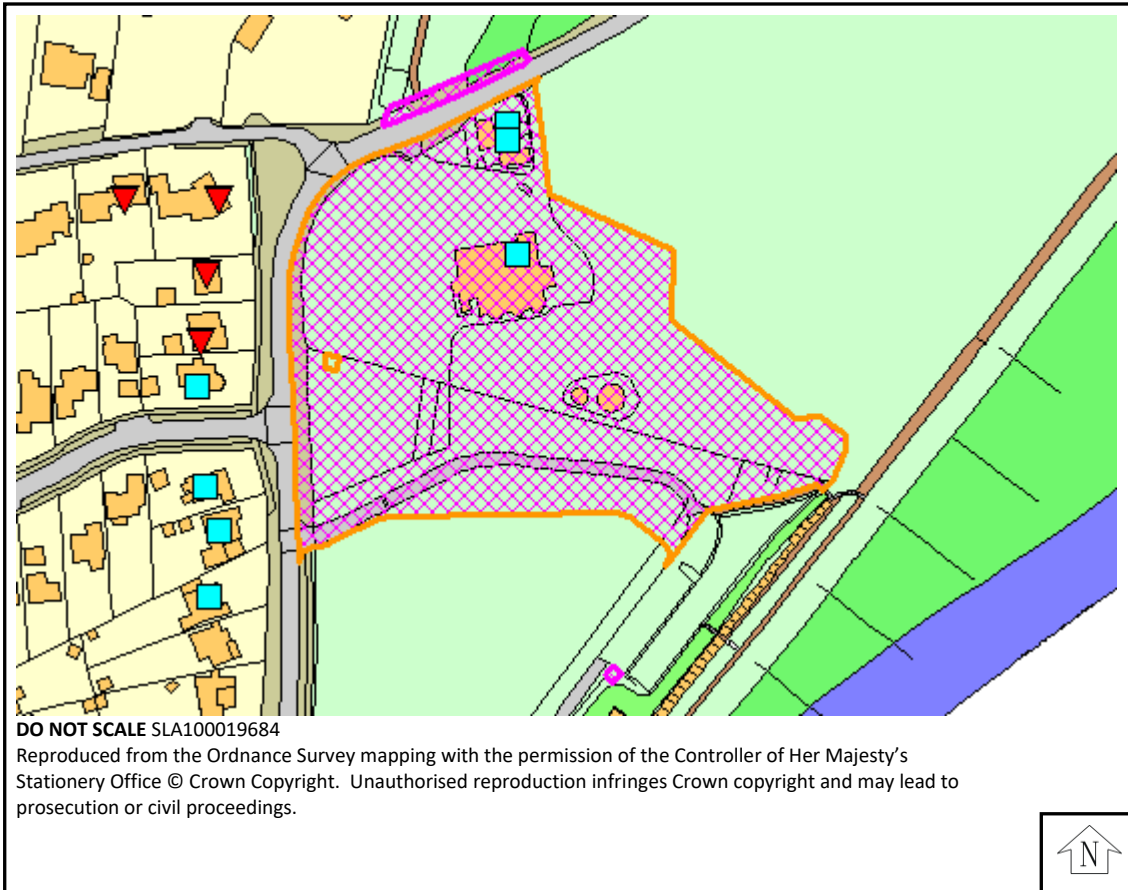
3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastssuffolk.gov.uk/planning/street-naming-and-numbering or email ljpg@eastssuffolk.gov.uk
4. It is noted that the applicant intends to discharge surface water to a watercourse within the IDD (directly or indirectly), with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.
(https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf).
Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such it is strongly recommended that the required consent is sought prior to determination of the planning application.
5. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.
Consultation should be made with the Water Authorities to determine flow rates in all cases.
Suffolk Fire and Rescue Service currently has a fire hydrant located at one of the entrances to this site. Please ensure that this is identified and protected whilst the work is being

carried out and is easily accessible for inspection and work after the build is complete. Failure to protect the fire hydrant could incur repair or replacement costs.





Background information

See application reference DC/19/5049/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q30MJ1QXGSD00>

Map



Key

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

Committee Report

Application no DC/20/0952/FUL

Location

32 Thoroughfare
Woodbridge
IP12 1AQ

Expiry date 26 April 2020

Application type Full Application

Applicant Mr & Mrs Groen

Parish Woodbridge

Proposal Demolition of existing dwelling & Associated garage structure.
Construction of replacement dwelling.

Case Officer Rachel Lambert
01394 444574

rachel.lambert@eastsoffolk.gov.uk

1. Summary

Proposal

1.1. Demolition of existing dwelling (including associated garage structure) and the construction of a replacement dwelling.

Reason at Committee

1.2. In accordance with the scheme of delegation as the 'minded to' decision of the planning officer, to approve was contrary to the comments received by Woodbridge Town Council, the application was referred to the planning referral panel meeting on Tuesday 12th May. The Referral Panel referred the item to Planning Committee, so that the Planning Committee can consider the impact of the design upon the streetscene and Conservation Area.

Case for development

1.3. The site is located within the defined physical limits boundary of Woodbridge, where replacement residential development is supported in principle, subject to accordance with all relevant environmental, heritage and design policies. Having due regard to the to the

scale of harm to and significance of Ropewalk Cottage as a non-designated heritage, asset it is considered that the quality of the design of the proposed new dwelling can be judged to mitigate the loss of the existing dwelling, and would enhance the character and appearance of the Woodbridge Conservation Area.

Recommendation

1.4. Recommended for approval subject to conditions.

2. Site description

- 2.1. The site is located at 'Ropewalk Cottage' 32 Thoroughfare, Woodbridge and comprises a two-storey, detached dwelling located within the physical limits of Woodbridge - with an overall site area of approximately 340 square metres. It is located within Woodbridge Conservation Area on the boundary between Character Area 9 (Thoroughfare) and Character Area 6 (Quay Side).
- 2.2. The host building is a two-storey detached property dating from the mid-19th century. The walls are a pink painted brick with a set of slightly forward protruding window casements, particularly at first floor level, most noticeable from Jacobs Way. There are two non-original extensions at ground floor level including a conservatory and a single storey rear extension with a flat roof, the later this has been constructed sensitively with regards the style and appearance of the host dwelling.
- 2.3. A site visit was conducted on 03 October 2019 in relation to the pre-application application, with the applicant (owner), architect, historic buildings consultant, planning officer and design and conservation officer in attendance. Access was gained to the existing building, its garden curtilage and surroundings.
- 2.4. Recent and relevant planning history on the site includes the following:
 - DC/PREAPP/18/2682: Pre-application advice - Demolish existing cottage and erect a three bed two storey eco house with a larger footprint; and
 - DC/19/1676/FUL: Demolition of existing dwelling & associated garage structure - construction of replacement dwelling - Refused.
 - DC/PREAPP/19/3404: Pre-application advice - Demolition of existing dwelling and erection of new accessible low energy dwelling.

3. Proposal

- 3.1. Demolition of existing dwelling (including associated garage structure) and the construction of replacement two-storey dwelling.
- 3.2. The proposed building is of a low energy and contemporary design, L-shaped in form and aligned against the northern and eastern aspects of the site, allowing for a courtyard style outdoor space in the southwestern quadrant. The inner walls facing garden are rendered with extensive glazing on to the south facing space. A green roof is proposed on a single storey aspect to the front, which serves as an art room and is linked to the main dwelling. The slate roof is of varying angles and comprises photovoltaic panels on the south-western

field. The main east wall is an extension and continuation of the existing brick boundary wall to the rear service yard, for the shops to the north - the wall is stepped at the ownership boundary with a brick installed rotated at 45 degrees to create a feature wall with glazing each side. The northern elevation comprises white render, and overhangs the entrance providing a porch cover. An integral bin store and cycle parking is provided, along with two car parking spaces and soft landscaping to the front.

4. Consultations/comments

4.1. A total of three third party objections were received, raising the following matters:

- Access to garage/parking;
- Overshadowing;
- Overlooking;
- Loss of light;
- Loss of privacy;
- Loss of view;
- Scale of development (footprint) and proximity to neighbouring properties;
- Noise impact from plant machinery;
- Design out of keeping in conservation area;
- Anti-social behaviour/fear of crime;
- Dominating/overbearing;
- Boundary issues;
- Contamination; and
- Material weight of previous refusal.

4.2. Included within one of the objections was a note of support of the plans to build a well-designed, sustainable property on this site, provided it does not cause problems for their neighbours.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Woodbridge Town Council	3 March 2020	30 March 2020
<p>Summary of comments: "We OBJECT to this application as it is contrary to Planning Policies DM21 and SP15. It is also contrary to para 127 of the National Planning Policy Framework. In addition it is contrary to the following Policies in the Final Draft Local Plan:- Policy SCLP4 Development in Town Centres (page 76) Policy SCLP11.1 Design Quality (page 170) Policy CLP11.2 Residential Amenity (page 171) Policy 12.31 Woodbridge (page 282-286) Policy SCLP11.5 Conservation Areas (page 176-178)."</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	3 March 2020	11 March 2020
Summary of comments: No objection subject to condition(s).		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	3 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	7 April 2020
Summary of comments: No objections - informatives noted.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	3 March 2020	26 March 2020
Summary of comments: Internal consultee - comments incorporated within reporting.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	3 March 2020	9 March 2020
Summary of comments: Internal consultee - comments incorporated within reporting.		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	12 March 2020	2 April 2020	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area, Affects Setting of Listed Building, May Affect Archaeological Site Date posted: 6 March 2020 Expiry date: 27 March 2020
---------------------	--

5. Planning policy

- 5.1. On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.
- 5.2. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 5.3. East Suffolk Council's Development Plan, as relevant to this proposal, consists of:
 - East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
 - East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) and;
 - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.
- 5.4. The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:
 - SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- SP26 - Woodbridge (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM28 - Flood Risk (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

6. Planning considerations

Principle of development

- 6.1. The site is located within the defined physical limits of Woodbridge, on the town centre border, where policy allows for the development of replacement dwellings (Policy SP19: Settlement Policy). As such, the proposed demolition and construction of a replacement dwelling is supportive in principle, subject to meeting all respective environmental, design and heritage policies.
- 6.2. The strategy for Woodbridge is to balance opportunities with the acknowledged physical and environmental constraints in order to maintain and enhance its roles as the principle market town within the district, an employment centre and a tourist destination. In this instance, the policy aim that seeks to consolidate a town that retains the quality of the built environment is of note and will be addressed in relation to respective design policies (Policy SP26: Woodbridge and Policy AP56: Town Centre).

Heritage

- 6.3. In addressing matters relating to heritage and conservation, this section of the report is addressed under the following headings:
- Listed building status;
 - Non-Designated Heritage Asset status;

- Impact on Woodbridge Conservation Area; and
- Heritage conclusion.

Listed building status

- 6.4. It is acknowledged that the site had previously been considered to comprise a building of heritage value on the basis of its local contribution to that part of the conservation area. Historic England has since clarified that the listing within the vicinity of the site applies only to the property of the same address that sits on the Thoroughfare - as such, Ropewalk Cottage is not a listed building. Furthermore, the adopted Woodbridge Conservation Area Appraisal (July 2011) does not identify the building as a 'significant building' and no important views are identified that include the building. However, an important wall is identified leading to the cottage from the south-east that forms part of its boundary; and the cottage's rear garden is identified as important green/open/tree space.
- 6.5. The Heritage Impact Assessment (dated October 2019), which provides a description and analysis of the building and some research into its likely uses via map, photographic and documentary evidence, is deemed acceptable for the purposes of Paragraph 189 of the National Planning Policy Framework. Should planning permission be granted, the Heritage Impact Assessment will form a record of it and should be submitted to the SCC Historic Environment Record.
- 6.6. The application has been advertised as affecting the setting of listed buildings. The nearest are those on Doric Place and the Thoroughfare and are mapped within the submitted HIA at Figure 6 and in our appraisal summary map (op.cit.). Whilst Ropewalk Cottage falls into their setting by virtue of their physical proximity, I would not argue that the application site in any way contributes to their significance. Therefore, regard has been given to Section 66 of the Planning(Conservation and Listed Buildings) Act 1990 which requires special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.7. The application proposal replaces built form with built form albeit to a differing design and a somewhat enlarged scale but retaining equivalent or similar townscape attributes in terms of scale subordination, pitched roof blocks and materials choice. On these bases, the application preserves the setting of nearby listed buildings.

Non-Designated Heritage Asset status

- 6.8. As a result of a previous application for a similar proposal (DC/19/1676/FUL), the local planning authority had identified Ropewalk Cottage, using the adopted and published criteria, as a Non-Designated Heritage Asset (NDHA). At that time this was due to:
- The aesthetic value - the building through its intrinsic design, which is derived from its typical local Woodbridge style in terms of materials used and painted brick appearance presents typical local characteristics exhibits a positive external appearance in the streetscene and wider landscape;
 - Group value - the building has a coherent design of the time and era of construction providing a positive historic functional relationship with the nearby listed building to the north and west, and conservation area more widely; and

- Integrity - the building retains a degree of intactness and lack of harmful external alterations and as it is part of a group (neighbouring nearby Listed Buildings to the north and the west) that helps make a contribution to the surviving completeness of that 'group'.

6.9. However, in reviewing these criteria under the current application, the Council's Principal Design and Conservation Officer has confirmed that 'integrity' does not apply in this instance, as the building has suffered external alterations in the form of modern additions to the front and rear that have reduced its level of integrity, particularly in comparison with the photograph supplied at Figure 5 in the Heritage Impact Assessment. Although such changes are reversible, they are considered to constitute as 'harmful external alterations'. In conclusion, the Council's identification of the building as an NDHA is correct (the submitted Heritage Impact Assessment disagrees on this point) as it continues to meet two of the criteria and, therefore, passes the threshold for identification.

6.10. The Council's Principal Design and Conservation Officer suggests that Ropewalk Cottage is not of very great significance - it is not a designated heritage asset and its conservation does not need to be given great weight. The cottage has met only two of the ten criteria for identification as a non-designated heritage asset, however, it is acknowledged that it is clearly of some local interest. Taking into account the significance of the building, it has been judged that its complete loss would result in a moderate level of harm and loss of the building would not be mitigated by its recording prior to removal. For clarification, there are no statutory duties concerning non-designated heritage assets.

6.11. Given consideration to the overall policy in the NPPF to conserve heritage assets in a manner appropriate to their significance because they are irreplaceable. Paragraph 197 states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset." The Local Planning Authority will weigh this loss against the positive planning matters of the proposal through the considerations of paragraph such as the quality of the design of the proposed new dwelling.

6.12. Furthermore, Policy SCLP11.6 (Non-Designated Heritage Assets) of the emerging East Suffolk Council - Suffolk Coastal Local Plan can afford moderate weight in its current status. This states:

"Proposals for the re-use of Non-Designated Heritage Assets will be supported if compatible with the elements of the fabric and setting of the building which contribute to its significance. New uses which result in harm to a Non-Designated Heritage Asset or its setting will be considered based on the wider balance of the scale of any harm or loss. In considering proposals which involve the loss of a non-designated heritage asset, consideration will be given to:

a. Whether the asset is structurally unsound and beyond technically feasible and economically viable repair (for reasons other than deliberate damage or neglect); or

b. Which measures to sustain the existing use, or find an alternative use/user, have been fully investigated.

Neighbourhood Plans can identify Non-Designated Heritage Assets. However, the protection afforded to these should be no more than that provided to Non-Designated Heritage Assets protected by this policy. Heritage assets identified should at least meet the Council's criteria for identifying Non-Designated Heritage Assets."

- 6.13. This policy provides similar considerations to the NPPF and is addressed in the conclusion of this section.

Impact on Woodbridge Conservation Area

- 6.14. The site is located on the boundary of Character Area 6 (Quayside) and Character Area 9 (Thoroughfare) of the Woodbridge Conservation Area, which is a designated heritage asset. The Woodbridge Conservation Area Appraisal (July 2011) provides guidance on the character and appearance of the heritage asset, including the identification of unlisted 'significant buildings', important walls and important views.
- 6.15. The appraisal does not identify Ropewalk Cottage as a significant building, and there are no important views identified that take in the application site or its surroundings. However, the boundary wall that runs along the north-eastern edge of the application site and forms a retaining wall between the cottage's garden and the adjacent service lane is identified as an important wall. The appraisal identifies the area of the cottage's garden to the immediate south-east of the cottage as important open/green/tree space, which is taken to mean that it should be retained in that form (i.e. undeveloped) for its positive contribution to the conservation area. This aligns with the same identification that is made of the linear garden spaces to the rear of the adjacent Doric Place dwellings.
- 6.16. Also, of note is the unlisted houses that line the lower section of Doric Place are all identified as significant buildings and an important view of them is identified along the length of the lane that fronts them. The upper section of Doric Place on approach to the Thoroughfare consists of listed buildings.
- 6.17. In respect of the built context of the application site, the appraisal states that rope making was one of the many industries that could be found within Woodbridge in the Middle Ages. This industry was likely connected to the use of Woodbridge as a port and associated ship building. An 1827 map identifies the area of Doric Place and the land behind it as a rope walk and its form and its location close to the area of quays and jetties suggests that this was the historic site of this industry. The building illustrated on the same map is difficult to tally with the existing building which the Heritage Impact Assessment suggests is of mid-C19th origin and, therefore, later than the map - it may represent its predecessor. The appraisal provides no analysis of the application site, tending to concentrate on the appreciable merits of Doric Place.
- 6.18. It is the view of the Council's Principal Design and Conservation Officer that, as the conservation area appraisal does not identify the building as a significant building, its loss can be acceptable, in principle, as its contribution to the character and appearance of the conservation area has been judged in the adopted appraisal to be neutral rather than positive. Any replacement building should, by design, have the same effect in terms of the conservation area's character and appearance and, thereby, preserve it; or enhance it (which is preferable) through the quality of its design.

- 6.19. It is reasonable, if not incumbent, that with the passage of time (since 2011) and the provision of any new historical information, the contribution of the cottage to the conservation area can be re-assessed. The view of the Council's Principal Design and Conservation Officer is that the architectural interest of the cottage is strictly limited in that it is a simple Victorian cottage of hipped roof form. However, it is acknowledged that the cottage does have some modest townscape value, albeit that this is derived principally from the picturesque view that can be gained of it from the adjacent public car park which reveals its hipped roof form and upper floor. As well as some historic interest derived from its position facing the ropewalk, and the unexplained ground floor arched features that face it. However, it is not apparent that this building is anything but a domestic building or a former service building later adapted for residential use. It is thought that its very small scale would not have made it viable for an industrial use, and this potential historic association is discounted.
- 6.20. For conservation areas, the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The duty applies when the local planning authority is determining a planning application in respect of "buildings or other land in a conservation area". Moreover, the NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of this in the planning system - with 'great weight' placed on the conservation of designated heritage assets, and the notion that the more important the asset the greater the weight should be (Paragraph 193, NPPF). This paragraph also states that 'any harm or loss should require clear and convincing justification' and applies to all designated heritage assets.
- 6.21. As the development proposal would lead to "less than substantial harm" to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal (Paragraph 196, NPPF). The desirability of the proposal making a positive contribution to local character and distinctiveness is taken into account (Paragraph 192, NPPF), with great weight given to outstanding or innovative designs that promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (Paragraph 131, NPPF).
- 6.22. Overall, the loss of Ropewalk Cottage will give rise to a small level of less-than-substantial harm to the designated heritage asset that is the Woodbridge Conservation Area. The level of harm is weighed against the public benefits of the proposal, which includes the outstanding design of the replacement dwelling that promotes high levels of sustainability (as detailed at length in the submitted Design and Access Statement), which raises the standard of design in the area, fits into the overall form and layout of its surroundings and makes a positive contribution to character and local distinctiveness. The proposal will enhance the character and appearance of the Woodbridge Conservation Area in respect of the design of the replacement dwelling and shall, thereby, meet the test at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Heritage conclusion

- 6.23. The demolition of an NDHA in a conservation area should not be regarded in the same way as if it were the designated asset itself, and cannot be treated as harm to a designated heritage asset in isolation, but consideration of the scheme as a whole needs is required.

- 6.24. The demolition of the NDHA within Woodbridge Conservation Area has been assessed in terms of Paragraph 197 of the NPPF, with the summary assessment of the development taking into account the scheme as a whole (including the replacement building) and any public benefits arising from the proposal in terms of the impact on the designated asset (the conservation area). In this case, although the existing building makes a positive contribution to the conservation area and would be completely lost, this does not mean that the conservation area would inevitably be harmed. The outstanding quality of the design of the proposed new dwelling can be judged to mitigate the loss of the existing dwelling. This is a positive factor and there are others that are identified in striking the overall balance, giving due regard to the scale of harm to and significance of the non-designated heritage asset.
- 6.25. In undertaking the required policy, statutory and NPPF tests in respect of heritage the proposal the proposed development would not adversely affect the setting of listed buildings, would enhance the character and appearance of Woodbridge Conservation Area, and would result in moderate harm through the loss of a non-designated heritage asset. On that final point, the merits of the high-quality design (addressed in follow sections) informs a positive weighing in favour of the proposed development against the consideration of Paragraph 192 of the NPPF an against the emerging policy.
- 6.26. Overall, it has been that this application will enhance the character and appearance of the Woodbridge Conservation Area in respect of the design of the replacement dwelling and shall, thereby, meet the test at Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Aesthetics, townscape and landscape

- 6.27. Collectively and amongst other things Policy DM21 (Design: Aesthetics) and Policy SP15 (Townscape and Landscape) require new developments to respect the existing context, character and appearance and to contribute positively to the context of the townscape. New developments should respect aspects of the character and integrity of the original building that contribute to local distinctiveness, such as height, width, depth, footprint, building line, rhythm, symmetry, position, detailed design, important gaps and sense of openness. At the same time proposals should preserve and take the opportunity to enhance the character and appearance of conservation areas.
- 6.28. The context of the cottage is formed of a mix of historic dwellings to the immediate south and west - a mix of listed and unlisted buildings - and modern development to its immediate north, east and south-east. A large public car park (at a lower level) from which a vehicle access leads to the adjacent service yard provides public views of the cottage, which can also be seen in views westward from the top of Brook Street. The scale of surrounding buildings steps down from those that front the Thoroughfare, which are in mixed use, to the smaller, predominantly residential buildings to their rear - an attractive and traditional characteristic. Characteristic of this area in the historic core of Woodbridge is the relatively high density and tight grain of development that features lanes, alleys and narrow rear accesses that lead off the Thoroughfare. This grain or pattern is established and historic but somewhat disrupted where space has been created to provide for modern service yards and large areas of parking - as can be seen adjacent the cottage site. Modern development in the area of the site is a mix of scales, styles and quality.

- 6.29. It is notable that the surrounding built environment comprises a mix of the modern and historic with an eclectic and varied range of architectural styles, forms and scales represented. It is not the case that this is a uniformly historic context which must be preserved free from contemporary intervention. There is ample precedent for modern design surrounding this site, not much of it of any quality at all (particularly the pastiche residential) and this proposal will raise the quality of new design in this part of the conservation area. This is particularly so when it is considered that the design will read more as part of the group of modern buildings to its north, north-east and south-east, rather than the group of buildings on Doric Place, all of which face away from the application site with their main frontages to Doric Place.
- 6.30. In comparing the submitted scheme, which was previously refused, the subsequent changes address prior concerns and improve the quality of the design. The principal changes are the reduction in the scale of the building and an amelioration of its design approach. By virtue of the former, the design is now less over-stated and dominant; and by virtue of the latter, the design is now more respectful of, and responsive to, its context. The proposal replaces one dwelling with another, there is no proposed change of use and there will be no change in effect on the immediate area in this respect. The change of design is going to be a more subjective test about whether the adopted design approach is going to have an adverse or beneficial effect on the immediate area.
- 6.31. Replacement of one dwelling with another would not affect the understanding or significance of this local area for its association with the history of ropemaking. This is because there is no evidence that the existing building arose from that association and the significance of the linear form of rear gardens behind Doric Place (the historic Rope Walk) is unaffected. The building will not dominate or be assertive within its immediate context and this is a result of the successful reduction in scale. In this way, the design is more respectful of its surroundings where they are historic.
- 6.32. The highly bespoke design approach design utilises an unusual backland site in a town centre location to provide for a relatively modest dwelling that provides wide-ranging accommodation and associated garden space - an efficient and effective means of making more than most of the site. The courtyard form conceived here is typical of many such town centre urban sites within Woodbridge for which there is historic precedent. It is, of course, how small sites can be developed - or re-developed, as here - to ensure that dwellings enjoy private space (albeit of a modest area) whilst being very close to very public space, that is, space which is highly used. This contrast effect is powerful (the 'oasis') and would work well here.
- 6.33. The courtyard form of the building generates its most interesting townscape effect, which contrasts the exterior public-facing parts of the building with the interior private-facing parts of the building. The former is solid, enclosed and defensive; the latter are lightweight, light-filled and open - this architectural approach is well-conceived and site appropriate.
- 6.34. The design of the building draws on the vocabulary of surrounding buildings in terms of some aspects of its form - dual-pitched blocks - and materials, predominantly brick, render and slate. In these important ways the design is a contextual response that reflects and respects its surroundings without merely imitating them. The form and aesthetic of the building are striking and distinctive. The design will have its own townscape presence and

character as a result of its unusual play of planes, form and materials and, as such, is a creative response to the site.

- 6.35. Whilst not replicating the existing picturesque view of Ropewalk Cottage from the adjacent car park, a similar view has been provided for in the submission and illustrates the interest of the design which is illustrated in it - that is, the conjunction of solid to void to roof, their interplay and modelling. The view also illustrates how the design reflects the local importance of gabled and pitched roof forms - emphasised by the overhanging roof. Although not all may find the view equally picturesque, it would be of townscape interest. Other important views will be that across the rear service yard from the public lane that connects Brook Street to the Thoroughfare. The presence of the new dwelling will bulk larger longitudinally in this view and this represents a change but not necessarily an adverse one. It will still be possible to see across the site on either side of the new dwelling to the unlisted and listed buildings beyond and appreciate their positive townscape effect, albeit that this will be reduced in extent compared to existing. A glimpsed view of the site is possible from the Thoroughfare, which currently reveals nothing of particular note in respect of the application site. This will be replaced by a glimpsed view of the jettied entrance elevation will be attractive and of interest and, therefore, positive. The submitted 3-D illustration of the entrance elevation reveals the subordination of scale of the new dwelling in respect of the adjacent dwelling and this is reassuring.
- 6.36. The boundary wall that runs along the north-east edge of the application is identified as an important wall in the Conservation Area appraisal, although this identification is made without explanation. The HIA suggests that the wall is a modern feature dating from the late 1980s when the area around the site was extensively remodelled. The current application maintains the effect of the boundary wall and enhances it by emphasising its importance as a local townscape feature through direct incorporation into the design. In this way, the importance of the boundary wall is preserved.
- 6.37. The garden space to the south-east of the cottage is identified as a space to be, in effect, retained in its undeveloped form as an important green space - essentially reading as part of the same linear open space to the rear of the unlisted houses on Doric Place. The current application retains this garden space in the same character and to the same effect and its importance, therefore, will be preserved.
- 6.38. The application proposal replaces built form with built form albeit to a differing design and a somewhat enlarged scale but retaining equivalent or similar townscape attributes in terms of scale subordination, pitched roof blocks and materials choice. As such, it is considered that the application preserves the setting of nearby listed buildings and that their setting would, thereby, be preserved. It is not necessary, therefore, to apply the tests in either Paragraph 195 or Paragraph 196 of the NPPF.
- 6.39. Overall, the design of the replacement dwelling is one that the Council can support, and is judged to be of outstanding quality - a site-responsive contemporary design that will promote high levels of sustainability and that effectively uses the site to provide a distinctive design that will contribute very positively to its immediate locality and the wider area and Conservation Area. The increased size of the replacement design will impart a greater physical presence than the existing cottage, however, the resultant size of dwelling and scale relationships with surrounding dwellings would be complementary and not overly dominant.

6.40. The floor plan and site layout are well considered - these have the advantage of utilising a constrained site to provide useful indoor and outdoor space of both a private and semi-public character in a way that is reflective of its tight town centre setting. The proposal is deemed in accordance with Policy SP15 (Landscape and Townscape) and Policy DM21 (Design: Aesthetics) of the East Suffolk Council - Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document 2013, which seek to achieve high quality design that does not detract from the character of the surroundings, and in areas of varied townscape quality, seeks to ensure that new proposals create a new composition and point of interest which will provide a positive improvement in the standard of the built environment. Moreover, the proposal is also inline with policy guidance set out under Policy SCLP11.1 (Design Quality) of the emerging East Suffolk Council - Suffolk Coastal Local Plan, which supports locally distinctive and high quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means.

Residential amenity

- 6.41. Policy DM23 (Design: Residential Amenity) sets out the material considerations relating to residential amenity as: privacy/overlooking, outlook, access to daylight and sunlight, noise and disturbance, the resulting physical relationship with other properties, light spillage, air quality and other forms of pollution, and safety and security. New houses should benefit from a satisfactory degree of privacy and daylight and residents of existing houses should also not be unduly affected by the development.
- 6.42. The representations of objections raise concerns in relation to overlooking/loss of privacy, specifically in relation to the dwelling to the west (6 Doric Place) and its windows along the eastern and northern elevations. Whilst it is acknowledged that there are a number of windows on this elevation of the neighbouring property, the kitchen, utility and cloakroom windows are obscurely glazed, and the dining room window is located at a height with limited viewable access. In these instances, there is no concern raised with regard to impact on existing outlook or privacy.
- 6.43. Additionally, concerns raised with regard to overlooking and privacy for both properties, with the bathroom window at first floor level (6 Doric Place) directly facing the proposed sun terrace (approximately 5.8 metre separation distance) have been addressed. In urban areas some overlooking is inevitable, however, every effort should be made to avoid overlooking of rear facing living room windows and garden 'sitting out' areas - this can be achieved through distance and design using potential changes to assist privacy. In dense urban areas where there is already excessive mutual overlooking a lesser standard may be acceptable. In this instance, the variation in height mitigates such effect to a degree. The existing bathroom window is also at a height that is above eye level, which helps provide privacy to the terraced area. Those using the proposed terrace will look down into the private courtyard or across the street, rather than over adjacent residential boundaries. Furthermore, the roofline overhanging the terrace has been set back to allow the retention of outlook from the centre of the window serving the bathroom of the neighbouring property.
- 6.44. The proposed green roof provides a separation distance from the neighbouring property of approximately 4.2 metres. The first-floor window along the side elevation of 5 Doric Place, does not serve a habitable room and there are no proposed windows on this aspect of the

south west elevation that would directly face the aforementioned window, with a small utility window located at further towards the southern corner.

- 6.45. The bedroom window at first floor level on the northern elevation (6 Doric Place), will overlook the green roof area and the corner of the proposed development, but does not directly face any glazed openings - with a setback of approximately 6 metres. The proposed WC at the first-floor level of the proposed development will be conditioned to be obscurely glazed to ensure that any potential for loss of privacy is mitigated for both properties. As such, there is no concerns with regard to overlooking or loss of privacy.
- 6.46. Daylight is defined as being the volume of natural light that enters a building to provide satisfactory illumination of internal accommodation between sun rise and sunset. This can be known as ambient light. design of residential environments to ensure that adequate levels of natural light (based on Building Standards) can be achieved within new dwellings and unacceptable impacts on light to nearby properties are minimised and preferably avoided. Sunlight refers to direct sunshine.
- 6.47. The size and position of the proposal will affect the amount of light available to both the development and neighbouring properties. The impact on the light levels in the living rooms, dining rooms and kitchens of a neighbour's home are considered important, bedrooms should also be considered but are less vital. In terms of access to the daylight and sunlight, the orientation and positioning of the development to the northern aspect of the site results in minimal overshadowing on the adjacent property (6 Doric Place) with the sun moving through the south. Additional shading that occurs is to the front courtyard during winter months, and the shared courtyard to the north. Due to the reduction in ridge height of the scheme from that previously considered, the separation distances and the orientation in relation to neighbouring properties, it is considered that there would be no detrimental effect on access to daylight/sunlight for the principal living areas within the adjacent site. The degree of impact upon daylight and sunlight would be insufficient to warrant the refusal of the scheme.
- 6.48. The 25-degree rule of thumb is applied when a new development directly faces an affected window. Suitable daylight for habitable rooms is achieved when a 25-degree vertical angle taken from the centre of the lowest windows is kept unobstructed, the recommended distance between the buildings is dependent on the opposing property ridge height. In this instance, the proposed development meets this test - with all windows benefitting from and adequate level of daylight (as shown on drawing number 15 Rev. O).
- 6.49. In terms of the amenity of future occupiers, direct views out would be provided from windows serving principal living areas and habitable rooms from many aspects, as well as overlooking the street. Outlook is, therefore, considered acceptable in terms of the amenity of future residents of the development. The terrace edge of the terraced area is approximately 7 metres from the southern boundary, with three tree species proposed along the boundary to provide a suitable level of screening.
- 6.50. Considering the residential nature of the proposal and surrounding environment, there are no concerns in relation to adverse impacts to residential amenity causes by noise/disturbance and other potential sources of pollution.

- 6.51. Due to its siting and design the proposed development would not impact on the spacious relationship with the adjoining properties. Similarly, it would not adversely affect the living conditions of the occupants of the adjoining dwellings due to loss of daylight, sunlight, privacy or visual impact. Overall, the submitted scheme provides quality on-site residential amenity for residents and would not cause unacceptable loss of amenity to adjoining occupiers or future occupiers of the development. As such, the application is considered in accordance with Policy DM23 (Design: Residential Amenity) of the East Suffolk Council - Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document 2013, as well as Policy SCLP11.2 (Residential Amenity) of the emerging East Suffolk Council - Suffolk Coastal Local Plan.

Sustainability

- 6.52. The proposal has been designed to allow for a lifetime home approach, accessible by all - with the installation of a lift. The house ground floor/ plinth and floor is thermal mass heavy that ensures daytime heat and heat gains are stored by the building and then omitted at night or in cooler periods. This thermal mass design thus prevents overheating during the day and low temperatures at night - the house effectively absorbs the excesses and large temperature changes. As the house is super insulated and incredibly airtight and well-sealed we will be installing an MVHR system to ensure day long pre warmed fresh air for occupants and a positive pressure on the inside. The heat is recovered from the extracted air and fed into the incoming fresh air. Low water appliances, eco-cisterns, aerating taps/showers, permeable drive and hard paving, triple glazed windows, LED lighting, and installation of photovoltaic panels on the roof are some of the sustainable design features incorporated within the scheme. A range of recycled and sustainable materials are to be used during construction - as detailed with the submitted Design and Access Statement.
- 6.53. Furthermore, the inclusion of a green sedum roof to reduce rainwater runoff and absorb carbon, installation of bird and bat boxes, and native species planting are all welcomed features of the proposal that seek to enhance biodiversity within the area.

Highway Safety and Parking Provision

- 6.54. Suffolk County Council as Highways Authority raises no objection to the proposal subject to a condition that ensures sufficient space for the onsite 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.
- 6.55. The proposal increases the number of car parking spaces on site by one, which meets the recommended criteria set out in the Suffolk Guidance for Parking Technical Guidance 2019 for a three-bedroom property. As such, the proposal is deemed in accordance with Policy DM22 (Design: Function) and Policy DM19 (Parking Standards).

Land Contamination

- 6.56. The proposal has been reviewed by the East Suffolk Council environmental protection team, who raise no objection subject to a condition that ensures 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.

Flood risk

- 6.57. The subject site is located within Flood Risk 1 zone, which the Environment Agency defines as having a low probability of flooding. Due to the associated low risk, no further assessment is required, and the application is considered in accordance with Policy DM28 (Flood Risk).

Community Infrastructure Levy

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

7. Conclusion

- 7.1. The proposal for the demolition of Ropewalk Cottage (a non-designated heritage asset) and the construction of a three-bedroom two storey dwelling, located within the centre of Woodbridge, is deemed acceptable in principle and considered a sustainable form of development.
- 7.2. The site is of a size that would suitably accommodate the scale of development proposed without causing harm to outlook, access to daylight/sunlight and overlooking of neighbouring properties. The overall design result is responsive and distinctive and has the potential to enhance the conservation area, with design aspects well considered - the contrast between the public and private sides of the building (materials, fenestration), where one appears solid and 'closed' and one opens up to the courtyard garden space; and the hierarchy of spaces, efficiency of layout and utility.
- 7.3. Overall, it is considered that the design quality and incorporation of sustainable construction features to provide a sustainable lifetime three-bedroom dwelling outweighs the loss of the existing building as a non-designated heritage asset. The application adequately addresses the refusal reasons on the previous application relating to design, impact on conservation area, and loss of heritage asset.

8. Recommendation

- 8.1. Approve subject to the conditions set out below.

Conditions:

1. The development hereby permitted shall begin no later than 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 drawings:

- Location plan (Drawing number: 01) - received 02 May 2020;
- Proposed site plan (Drawing number: 17 Rev. F) - received 02 May 2020;
- Proposed plans (Drawing number: 13 Rev. K) - received 02 May 2020;
- Proposed plans detailed (Drawing number: 14 Rev. G) - received 02 May 2020; and
- Proposed elevations (Drawing number: 15 Rev. O) - received 04 May 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 development shall commence until a detailed method of construction statement has been submitted to and approved by the local planning authority. This statement shall set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter, the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements in this area of Woodbridge during the construction phase of the development.

5. The use shall not commence until the area(s) within the site shown on drawing number 17 Rev F 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.

6. In the event that contamination which has not already been identified to the local planning authority 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 local planning authority 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 must be prepared, and is subject to the approval in writing of the local planning authority. The remediation method statement must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved remediation method statement 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 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.

7. The first floor WC window on the south eastern elevation shall be fitted and remain fitted with obscured glass, which shall have an obscurity of level three on the Pilkington Obscured Glazing Range (or equivalent by an alternative manufacturer) and have brackets fitted to prevent the windows from opening more than 45 degrees except in the case of an emergency. These items shall thereafter be retained in their approved form.

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

8. Notwithstanding the provisions of Article 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting the said Order), the sedum/green roof of the hereby approved development, shall not be used as a recreational area, unless otherwise agreed in writing with the local planning authority.

Reason: To enable the local planning authority to retain control, in the interest of preserving a reasonable level of amenity and prevent possible loss of privacy to the neighbouring properties.

9. Prior to the commencement of the development, details of measures to enhance the biodiversity value of the site, as detailed in the submitted Design and Access Statement, shall be provided to local planning authority for approval in writing. Such measures could include the provision of bat roosting and/or bird nesting boxes on the exterior of the building and the planting of native species.

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 (2019).

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. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than

dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

3. No additional water supply for fire fighting purposes is required in respect of this planning application.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. Consultation should be made with the Water Authorities to determine flow rates in all cases.

4. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that may be necessary to comply with Building Regulations (2010) must also be approved in writing by the local planning authority in order that any planning implications arising from those amendments may be properly considered.
5. The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act (2008) and the CIL Regulations (2010) (as amended).

Please note: The Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>

6. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant condition(s) you will not be able to implement the planning permission and your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.

Background information

See application reference DC/20/0952/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6K3C8QXI4E00>

Map







DO NOT SCALE SLA100019684

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



Key

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

Committee Report

Planning committee - 26 May 2020

Application no DC/20/1043/FUL

Location

Land To The East Of Water Tower
Spriteshall Lane
Trimley St Mary
Suffolk
IP11 9QY

Expiry date 28 April 2020

Application type Full Application

Applicant Alston Homes Ltd

Parish Trimley St Mary

Proposal Five new residential houses and associated parking

Case Officer Rachel Smith
01394 444628

rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1 The application proposes the erection of five, three-bedroom dwellings on land east of the Water Tower, off Spriteshall Lane in Trimley St. Mary.
- 1.2 The application is being presented to Planning Committee for determination as a Member of East Suffolk Council is a Director of the applicant company.
- 1.3 Planning permission for the erection of five or six residential properties has previously been granted on the site. The principle of development is therefore established, and this application proposed a revised design and layout. The design and layout are considered to be acceptable and there would be no adverse impact on residential amenity. The proposal is therefore considered to be in accordance with Policy and is therefore recommended for approval.

2. Site description

- 2.1 The application site comprises a long, thin strip of land extending to approximately 0.13 Hectares. It is located at the northern end of Spriteshall Lane within the physical limits boundary of Trimley St. Mary and formerly formed part of the land associated with the Water Tower. Spriteshall Lane is a dead-end, private road serving a number of other residential properties.
- 2.2 The Water Tower lies to the south west of the application site and there are other residential dwellings located immediately to the south of the access track. To the north of the site is a small area of undeveloped land forming a buffer between the application site and the A14 trunk road.

3. Proposal

- 3.1 Planning permission is sought for the development of five, two-storey, three-bedroom dwellings. Each would have one parking space within the curtilage and a further six parking spaces would be provided in a shared area to the east of the site. The properties would all face south towards the access track and the residential properties opposite. Two pairs of semi-detached dwellings would be located towards the west of the site and one detached dwelling would be located towards the east of the site.
- 3.2 Planning permission was originally granted for the development of five properties on the site under application C08/1667 but this has now expired. A further consent was granted for the erection of six dwellings in February 2018 under application DC/17/5336/FUL. The current application has been made as a result of discussions with Anglian Water regarding the potential re-routing of a strategic main water pipe which is located below the site. It has been decided that the risks involved with this are too great and therefore the current layout has been designed to work around the existing pipe.

4. Consultations/comments

- 4.1 No neighbour responses have been received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Trimley St Mary Parish Council	6 March 2020	23 March 2020
Summary of comments: The Parish Council supports the above application.		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	6 March 2020	25 March 2020

Summary of comments:
No objections - comments made.

Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	6 March 2020	27 March 2020
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
CIL (Internal)	6 March 2020	10 March 2020
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	6 March 2020	9 March 2020
Summary of comments: Suggested conditions regarding land contamination and noise mitigation.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 10 March 2020

Expiry date: 31 March 2020

Planning policy

- 1.1 On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.
- 1.2 In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 1.3 East Suffolk Council's Development Plan, as relevant to this proposal, consists of:
 - East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
 - East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) and;
 - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.
- 1.4 The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) and the East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) are:
 - SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - SP21 - Felixstowe with Walton and the Trimley Villages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - FPP2 - Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
 - SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM7 - Infilling and Backland Development within Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

1.5 The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination.

1.6 Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019). There are no policies of that nature relevant to the consideration of this application.

5. Planning considerations

Principle of Development

5.1 The application site is located within the physical limits boundary of Trimley St. Mary and therefore the principle of new residential development in this location is considered acceptable in accordance with the principles of sustainable development and the Settlement Hierarchy as set out in Policies SP1, SP1a and SP19 of the Local Plan and FPP2 of the Felixstowe Peninsula Area Action Plan. The principle of residential development is also established on the site with permission having previously been granted for five dwellings (C08/1667/FUL) and six dwellings (DC/17/5336/FUL) on separate occasions.

Design and layout

- 5.2 The design of the dwellings is considered acceptable. They would be of a standard red brick and concrete pantile finish with a pitched roof. Although they would not result in a particularly high level of design or architectural interest, it is not considered that this is the best site for such designs given the constraints including the shape of the site, the water tower and the proximity to the A14.
- 5.3 There is an extant planning permission for the erection of six, two-storey dwellings on the site. A revised layout has now been submitted in order to avoid a water pipe under the site. This has resulted in the current application proposing one less dwelling and a re-arrangement of the properties on the site. The current scheme proposes Plots 1 and 2 to be in a similar location and design to the previously approved scheme. Previously, plots 3 and 4 faced east towards Spriteshall Lane, end on to the access track. It is now proposed that these dwellings also face south towards the access road. They would be set back on their plots and have a parking space at the front of the dwelling and adequately sized side and rear gardens. Plot 5 would now be a detached dwelling located on a wider plot with its amenity space predominantly located to the side of the dwelling. The proposed design of the dwellings would be similar to those previously considered and approved. It is considered that the current proposal would have a similar impact on the character and appearance of the area as the previously approved schemes.

Residential Amenity

- 5.4 The change in the layout would affect the views and outlook from the properties to the south of the access track, opposite the site. Although some of these dwellings would have their outlook more affected than would have been the case if the previously permitted scheme were carried out, the properties all fronting the access, opposite the existing dwellings is an appropriate relationship between dwellings and they would not be too close to each other (12-13 metres) to result in an unacceptable impact on light or outlook. The proposed dwellings all have an acceptable level of amenity space which would not be directly overlooked by another property.
- 5.5 The northern site boundary is parallel to and approximately 40m away from the carriageway of the A14 trunk road and its junction with the Felixstowe Dock Spur Road. An open paddock separates the site from the road which is set in a cutting a few metres below the site ground level. Earlier planning permission C/08/1667 for the site recognised the road as a source of noise which could affect residential development, and included a condition requiring noise mitigation measures to be included in the detailed design of the houses.

Parking

- 5.6 Each dwelling would have one parking space provided on-site and a second space within a shared parking area towards the east of the site. This would comply with the parking standards and therefore be compliant with DM19.

Construction disturbance

- 5.7 Ensuring a Construction Management Plan is produced and agreed by means of planning condition would ensure that any impact is minimised as far as possible accepting that there will be some construction disturbance. This will include hours of work/delivery and compound details to ensure that the road is kept unobstructed.

Ecology

- 5.8 Providing that the development is carried out in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, February 2020), it is not considered that there would be any harm to ecology on the site. The Ecological Impact Assessment (EclA) (Huckle Ecology, November 2017) was submitted with the current application which describes the condition of the site prior to clearance. Whilst this clearance before the updated survey being undertaken is regrettable, from the information within the EclA whilst there is the possibility of impacts on individual animals, the site was not identified as being of significant ecological value. It is also considered appropriate to require an Ecological Enhancement Strategy addressing how ecological enhancements will be achieved on the site.
- 5.9 The site lies within the 13km Zone of Influence of protected European Sites. As the proposed development would result in one less residential on the site compared with the extant permission, the application would not result in any increase of residential units on the site and therefore the application would not result in any significant effect on the protected sites and there is no requirement for a contribution to the Suffolk Coast RAMS or other mitigation in this case.

CIL

- 5.10 The site lies within the former Suffolk Coastal Community Infrastructure Levy Charging Zone Low. The charge for residential development in this zone was set at £50 in 2015 when the relevant charging schedule was adopted, which results in a 2020 indexed CIL rate of £64.48 per square metre. The total GIA will be calculated should approval be granted using the floor area shown in the approved plans and any information supplied by the applicant/agent in the CIL Additional Questions Form.

6. Conclusion

- 6.1 The principle of residential development on the site is in accordance with the aims of the Settlement Policies and an extant permission confirms that residential use of the site is established. The revised design of the dwellings and layout is considered to be acceptable and would not harm neighbours' amenity. An up-to-date Ecological Survey has been received and subject to controlling conditions, it is not considered that the proposed development would result in any significant harm.

7. Recommendation

- 7.1 The application is recommended for approval subject to the controlling conditions set out below.

8. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, February 2020).
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

5. Prior to occupation an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancements measures will be delivered in accordance with the approved Strategy.
Reason: To ensure that the development delivers ecological enhancements.

6. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:
As deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:
 - the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
 - an explanation and justification for the analytical strategy;
 - a revised conceptual site model; and
 - a revised assessment of the risks posed from contamination at the site to relevant receptors, including:
human health, ground waters, surface waters, ecological systems and property (both existing and proposed).
 All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

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

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

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

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

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

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written

report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

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

12. No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
 - a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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

13. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to

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

14. No development above ground level shall commence until full and precise details of a noise assessment and any necessary mitigation to protect occupiers from traffic on the A14 and Dock Spur Road, has been submitted and approved in writing by the Local Planning Authority. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below:
 - Daytime noise levels for indoor living spaces of 35dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Daytime noise levels for outdoor areas; garden and amenity space of 50dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Night-time noise levels for bedrooms of 30dB LAeq and 45 dB LAmax 8 hour (between the hours of 23:00 - 07:00 hours)The approved scheme shall be fully implemented before occupation of the relevant dwelling and shall thereafter be retained and maintained as approved. Reason: In the interest of residential amenity and health.

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

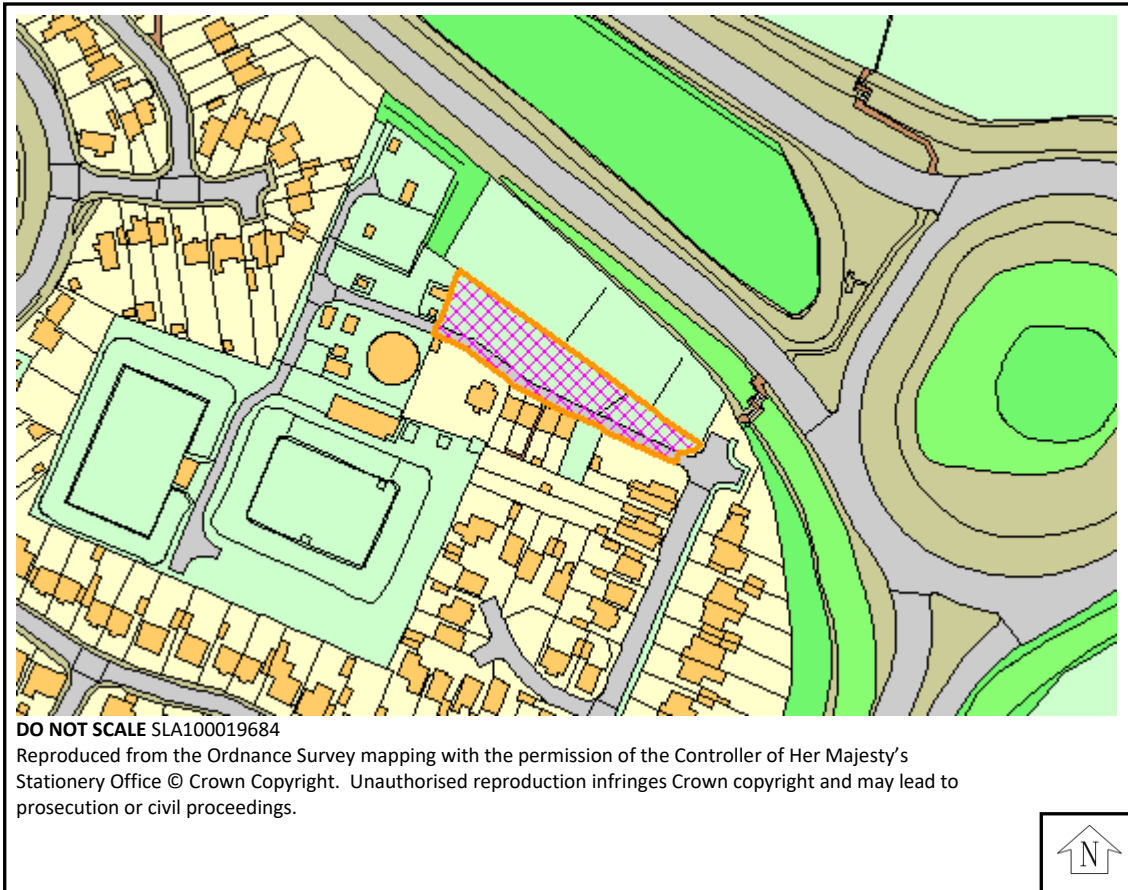
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

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





Background information

See application reference DC/20/1043/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6O3TYQXI6P00>

Map



Key

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