



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

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Jocelyn Bond
Councillor Norman Brooks
Councillor Linda Coulam
Councillor Graham Elliott
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North**
to be held on **Tuesday, 12 January 2021 at 2.00pm**

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

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel
at <https://youtu.be/oDhQGxf2xqY>

An Agenda is set out below.

Part One – Open to the Public

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2	Declarations of Interest	
	Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying	
	To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes	1 - 33
	To confirm as a correct record the Minutes of the Meeting held on 8 December 2020.	
5	Enforcement Action - Case Update ES/0622	34 - 51
	Report of the Head of Planning and Coastal Management	
6	DC/20/3142/FUL - High Lodge Leisure, Darsham Road, Hinton, Blythburgh ES/0623	52 - 74
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11	DC/20/4001/FUL - 9 Trinity Street, Southwold ES/0628	138 - 146
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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.

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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.

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Minutes of a Meeting of the **Planning Committee North** held Remotely via Zoom, on **Tuesday, 8 December 2020 at 2.00pm**

Members of the Committee present:

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

Other Members present:

Councillor Peter Byatt, Councillor Tony Cooper, Councillor Debbie McCallum, Councillor Keith Patience

Officers present: Liz Beighton (Planning Manager - Development Management), Joe Blackmore (Principal Planner - Development Management), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner - Development Management), Matthew Gee (Planner - Development Management), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), James Meyer (Ecologist), Steve Milligan (Planner - Development Management), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner - Development Management)

Announcement

The Chairman advised that he had one announcement to make. For the record, several members of the Committee, including himself, and some officers, knew Mr Reid, who would be speaking on Agenda Item 7, as he was a former employee of the Council for many years. However, that would make no difference to the decision making process, and Mr Reid would be listened to objectively, as with any other person making representations. It would be the planning merits of what was said that would be taken into account.

1 Apologies for Absence and Substitutions

An apology for absence had been received from Councillor Gee.

Councillor Cooper attended the meeting as a substitute for Councillor Gee.

2 Declarations of Interest

Councillor Bond declared a Local Non-Pecuniary Interest in Item 9 - DC/20/2953/FUL - The Alders, Theberton, as being Ward Member.

Councillor Brooks declared a Local Non-Pecuniary Interest in Item 8 - DC/20/3042/FUL - St Marys Catholic Primary School, Lowestoft, as being a member of the Cabinet when approval was granted for the spend for the land.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Item 8 - DC/20/3042/FUL - St Marys Catholic Primary School, Lowestoft and Item 13 - DC/20/4436/ADI - East Point Pavilion, Lowestoft, as being County Councillor for the area.

Councillor Cooper declared a Local Non-Pecuniary Interest in Item 9 - DC/20/2953/FUL - The Alders, Theberton, as the Applicant was a close family member. He advised that he would leave the meeting when the item was discussed and take no part in the consideration of the application or voting thereon.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 8 - DC/20/3042/FUL - St Marys Catholic Primary School, Lowestoft and Item 13 - DC/20/4436/ADI - East Point Pavilion, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non-Pecuniary Interest in Item 8 - DC/20/3042/FUL - St Marys Catholic Primary School, Lowestoft, as being a member of the Cabinet when approval was granted for the spend for the land; Item 11 - DC/20/4097/FUL - Unit 24 Fountain Way, Reydon, as being Cabinet Member for Economic Development and Assets; and Item 13 - DC/20/4436/ADI - East Point Pavilion, Lowestoft, as being Cabinet Member for Economic Development and Assets involved with the Town Investment Fund.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Ashdown, Bond, Brooks, Ceresa, Coulam, Elliott, Pitchers and Rivett declared that they had been lobbied on Item 6 - DC/20/2191/FUL - St Felix School, Reydon and Item 7 - 105 Park Road, Lowestoft. Councillor Ashdown confirmed he had made no significant response other than advising on procedures. All other Councillors advised that they had made no response.

Councillor Elliott declared that he had been lobbied on Item 12 - DC/20/2862/FUL - Oak Tree Farm, Westhall.

4a Minutes of meeting 13 October 2020

RESOLVED

That the Minutes of the Meeting held on 13 October 2020 be agreed as a correct record and signed by the Chairman.

4b Minutes of meeting 10 November 2020

RESOLVED

That, subject to Minute 5 DC/20/1352/FUL - Royal Court Hotel, Lowestoft, being amended to include the retention of the original sash windows, the Minutes of the

Meeting held on 10 November 2020 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee considered report ES/0576 which summarised the outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 23 November 2020. There were currently 15 such cases.

The Assistant Enforcement Officer provided an update with regard to Stone House, Bramfield. She advised that a visit had been undertaken on 3 December and they had complied fully, with the exception of planting which was due at the end of March 2021.

RESOLVED

That the report concerning Outstanding Enforcement matters up to 23 November 2020 be received and noted.

6 DC/20/2191/FUL - St Felix School, Halesworth Road, Reydon, Southwold

The Committee considered report ES/0577 which gave details of the application for the creation of two sports pitches on land at St Felix School in Reydon.

The Principal Planner explained that the application was before Committee due to the significant local interest and because the application related to an extant housing planning permission approved in 2019 that was considered by the Planning Committee of the former Waveney District Council. He advised that since the publication of the update sheet, five further letters had been received but no new material planning issues had been raised. In addition, the update sheet gave details of the revised comments from Sports England and amendments to two of the proposed planning conditions based on Sport England's comments.

Members viewed a presentation which showed a site location plan, aerial views and photographs setting out the layout of the school site and the location proposals including specific details of the proposals together with views from within the site and the surrounding area. There had been extensive pre-application discussions and the proposals before Members provided two pitches; the most low key area within the County Wildlife site was marked as pitch 2 and pitch 1 would be widened with improved quality. The proposed plan for pitch 2 would result in the removal of some trees and the scrubland would be retained outside the pitch itself. The area would need to be enclosed by fencing. Pitch 1 was on an area of grass land already used for sporting activities but not suitable for year-round rugby and football use and the proposed works for seeding and drainage would be dealt with by planning condition to ensure a high quality surface.

The Principal Planner outlined the material planning considerations and key issues including the extant outline permission for an enabling housing development to ensure the continued viability of the school, the housing scheme to be delivered, and mitigation measures to be delivered through replacement sports pitches to provide improved facilities for the school and offset the loss of the existing playing

fields. Officers had undertaken an Appropriate Assessment under the Habitats Regulations and the Council's Ecologist had concluded that there would be no significant effect on the designated European (Habitats) sites. Approval was being recommended and would include the revised conditions 2 and 3.

The Chairman invited the public speakers to address the Committee.

Mr S Chessher asked that slides and photographs be displayed. Mr Chessher explained that he was speaking on behalf of Reydon Action Group for the Environment (RAGE), a campaign group with 170 members and their concern about the landscape and environmental impacts. The application for the two sports pitches was not directly linked to the housing consent; it was a free-standing application with no requirement to facilitate housing. On its own merits, it was contrary to policy including the Neighbourhood Plan and should be refused. It formed part of the protected sites round the Blyth estuary, including the County Wildlife site and SSSI, and looking further to the south west, the area was nationally protected. If approved, there would be a loss of habitat and 100 year old oak trees, not just the six mentioned but an additional nine trees, were going to be felled. The loss of the trees would be permanent and the loss of habitat could not be mitigated. There was no community benefit and playing field provision would not trump the harm to the Area of Outstanding Natural Beauty (AONB).

As Chairman of Reydon Parish Council's Planning Committee, Mr P O'Hear drew the Committee's attention to the following points. Reydon Neighbourhood Plan should be given significant weight and the proposal did not meet the conditions in policy RNP5. St Felix School said this was required to support additional housing but there was no application for that. The proposed scheme would cause significant damage to the County Wildlife site and any mitigation would not solve the problem as a replacement habitat could not be provided. Finally, the application was for replacement playing fields; this it was not, as one pitch was already being used, therefore, it could not be classed as new. The Parish Council was shocked that Sport England accepted it. The Committee should support the relevant Local Plan policies to protect fields and the proposal was in breach of policy RNP5 in the Reydon Neighbourhood Plan. The application should be refused.

Mr J Harrison spoke as Headmaster of St Felix School. He stated that the officer's report provided a fair overview of the proposal and they had worked hard to ensure that quality pitches would be provided with minimum impact. The proposal was for replacing pitches that were not fit for purpose. The school recognised it was part of Reydon and they had worked with the community to allow its use of their facilities. Mr Harrison reminded the Committee that St Felix was a small independent school, a charity not supported by private funding and offered places including £1m in scholarships. The pitches played a key part in the school's development plan which was most encouraging in an unstable market. The school was a large employer in the area and through investment, it could make a significant contribution to the local area and economy. He asked for the support of Members to endorse the officer's recommendation for approval.

The Chairman invited questions.

Members questioned the fact that pitch 1 was on top of an existing field and where the athletics track would be located and it seemed that replacement pitches were not being provided but existing pitches repurposed.

Mr Harrison advised that most pitches were multi-purpose with athletics and cricket in the summer. The running track would be perpendicular to the sports pitch. The existing field used for athletics did not use the corners and the significant drop in the land would be levelled and the grass improved for Sport England to accept the proposal. Providing one pitch in that location would reduce the impact on the wildlife site by splitting the development across two areas.

The Ward Member, Councillor Beavan, advised that much had been said by the school and officer but they did not appear to understand local needs. Youth facilities had been provided at the old Reydon site and the Rugby Club had two pitches near the common. The school itself had insufficient students for a 15 a-side rugby team so it was questionable as to why the school would dig up a wildlife site and ignore the local plan. The school was selling land for housing to plug a hole in its finances and with £30,000 fees, it was still not a going concern, such doubt being cast when looking at the school's accounts. There was no valid reason to accept the planning application on its own merits and it should be refused.

The Chairman invited questions.

Reference was made to this stand-alone application and the reason why it was before the Committee. Clarification was sought on whether the extant housing permission was a material consideration. The Principal Planner advised that the application was a stand-alone application that should be assessed on its own merits, therefore, Members needed to consider the benefits and harms of the proposal and all relevant policies. The Principal Planner advised that it should be acknowledged that the proposed development was delivering an obligation in the Section 106 Agreement in the extant housing permission, which had been drawn up as part of the enabling development for the school to secure re-investment funds bringing its own benefits. The proposal was providing the benefit of improved sports facilities at the school and on its own merits, the officers supported the application.

The Head of Planning and Coastal Management drew Members attention to paragraph 9.5 in the report and the better use of the land to the south of the school buildings, through pitch 1 proposal, lessened the impact on the County Wildlife site. It was accepted that there would be some harm but looking at it overall, the scheme represented a significant improvement over the parameters set within the Section 106 Agreement of the extant housing permission and had been supported by Sport England. Furthermore, the approval of the application would facilitate the delivery of an enabling housing development which would bring further public benefit through re-investment in the school.

During debate, it was suggested that if approval was granted an additional condition be

added to ensure that if St Felix ceased to be a school or the pitches were no longer used that the sites be reverted to the previous use. It was further suggested that it could be conditioned that the land could not be built on at any time in the future.

The Head of Planning and Coastal Management advised that if the school ceased to operate, it was a reasonable approach to return the land to County Wildlife site. It would not be possible to insist on no future development and any application would need to be properly considered on merit if one was submitted.

Concerns were raised that this was a stand-alone application and that the proposal was a test on the value of the neighbourhood plans. Reydon Neighbourhood Plan now carried significant weight and the application should not be approved as it was contrary to not only that Plan's policy but also the Council's own relevant policies and the NPPF. Any development in an AONB should be a last resort and it was noted that Suffolk Wildlife Trust objected. Members further commented on the need for high quality pitches as sport was vital for the young and in fact people of all ages. The proposal was discharging one condition of the original outline application and it was considered the harm would be outweighed by the benefits. It was disappointing to note the loss of the trees.

The Principal Planner advised that tree protection, replacement planting and its implementation was covered by conditions 11 to 13 outlined in the report.

The Committee noted the amended conditions in the update sheet and with the addition of the request to add a planning condition requiring the site of pitch 2 to be restored to its current state as previously proposed, it was

RESOLVED

That, subject to a Deed of Variation on the existing Section 106 Agreement being agreed and to conditions including but not limited to the following, permission be granted:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans in respect of each element of the development:

- Pitch 2 shall be completed in accordance with Drawing Nos. DR-A-0121P2 and DR-A0120P5, received 23 September 2020; and
- Pitch 1 shall be completed in accordance with Drawing No. DR-A-0050P3 received 16 June 2020.

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

3. No development to construct Playing Pitch 1 or Playing Pitch 2 (as identified on Drawing Nos. DR-A-0121P2 and DR-A0120P5 and Drawing No. DR-A-0050P3) shall commence until a detailed written specification of the proposed soils structure, drainage, cultivation and other operations associated with grass and sports turf establishment for that pitch and a programme of implementation and maintenance have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Each specification shall be informed by a detailed assessment of ground conditions that identifies any constraints within the land proposed to be developed to create each playing pitch to ensure that the delivery of the specification achieves a playing field that is of a fit for purpose standard. Each pitch shall be constructed in strict accordance with the approved specification for that pitch.

Reason: To ensure that the playing field is prepared to a fit for purpose standard.

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Assessment (Small Ecology, June 2020); Botanical Survey (Small Ecology, February 2020); Reptile Survey (Small Ecology, October 2019) and Biodiversity Metric Appraisal (Small Ecology, June 2020).

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

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

Reason: To ensure that nesting birds are protected.

6. No development shall take place (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 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.

7. A landscape and ecological management plan (LEMP) for St Felix School Grounds County Wildlife Site shall be submitted to, and be approved in writing by, the local planning authority prior to first use of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the County Wildlife Site is maintained and enhanced.

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

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with WLP8.40 of the Waveney Local Plan (2019).

9. The development shall not be brought into use 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 8 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 WLP8.40 of the Waveney Local Plan (2019).

10. Prior to their installation, precise details of the fencing and gates to enclose Pitch 2 (as shown on Drawing Nos. DR-A-0121P2 and DR-A-0120P5) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved detail, and retained in that form, unless otherwise approved in writing by the LPA.

Reason: to ensure that the enclosure to pitch 2 is of a design and appearance appropriate for the site context within the AONB.

11. Prior to commencement of the approved development, an updated Arboricultural Impact Assessment & Method Statement, including Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: to ensure retained trees are protected through the construction phase of the development.

12. No development shall commence until precise details of a tree planting scheme (which shall include species, size and numbers of plants to be planted) has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the submission and implementation of a well-designed planting strategy to mitigate the impacts of development, in accordance with WLP8.35 (Landscape Character).

13. The tree/shrub planting scheme (approved under condition 12) shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the timely implementation and longer-term maintenance of the planting scheme in accordance with the objectives of WLP8.35 (Landscape Character).

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

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

7 DC/20/2593/FUL - High Dene, 105 Park Road, Lowestoft

The Committee considered report ES/0578 which sought planning permission for the change of use of 105 Park Road, Lowestoft, from a C2 Residential care home to a large House in Multiple Occupation (HMO) (sui generis use) providing supported housing for people with complex needs. The accommodation would be supervised 24 hours a day and house people over the age of 16, with, for example, autism, who needed supported housing.

The Senior Planner advised that the application was before Committee because of the public interest. He clarified the fact that the map at the end of the report had not indicated all respondents because, as some objectors had not given an address, their responses could not be plotted.

Members received a presentation showing the site location and block plan, together with street views and floor layout of the building. The frontage would be reinstated to enhance the Conservation Area and the floor layout with 13 bedrooms would remain as existing. The dwelling was no longer fit for purpose as a care home and was considered too large for a residential property.

The Senior Planner explained the material planning considerations and key issues. He referred to policy WLP8.4 in the Local Plan where the conversion of premises to HMOs was only permitted in exceptional circumstances. As a care home, there had been a longstanding use of multiple occupation and the property was outside the flat saturation zone so would not breach the 20% saturation. The supported housing facility proposed by the Applicant was in line with the strategic aims of Suffolk County Council with regard to supported housing delivery and, therefore, in this case, exceptional circumstances had been demonstrated. Whilst objectors had raised the issue of the loss of care home places, there was no policy protection in place for care homes. It was understood that the need for 900 places was being addressed through modern replacements.

The Senior Planner advised that the Applicant had experience in running supported accommodation and the premises would be run by Mavam Supported Housing who had already delivered good schemes throughout Suffolk. Neighbour amenity would be

protected by policy 8.29 and the proposed car parking was likely to be used by staff only. The provision of specialist accommodation represented a significant social benefit, being an important strand of sustainable development as required by the NPPF. It was considered that the amenity of the occupiers of surrounding properties and the wider environment would be protected and the application was being recommended for approval as a personal permission.

The Chairman invited questions.

Members raised questions relating to:

- Sound insulation in a heritage building.
- The premises not being in a mixed-use area near facilities.
- This application compared to a recent application in Cleveland Road, Kirkley.

The Senior Planner advised that the building was not listed and internal insulation, which would be a Building Control requirement, would not affect the heritage of the building. The property was not in a flat saturation zone and Park Road itself was not in a 20% saturation zone. The dwelling itself had been in multiple occupancy for quite some time.

The Chairman invited the public speakers to address the Committee.

Whilst speaking Mr B Reid showed a slide and he explained the flat saturation in the area and the density in the specific post code including Abigail Court and houses converted into flats giving a total of 52. Excluding care homes, and taking the whole of Park Road, the percentage would be 60% converted flats. Crimes recorded within a half mile of the centre of the post code showed an increase of 260%. The proposal would put people with complex needs and other residents at risk. Mr Reid was of the opinion that this location was not the right place for such residents and any approval that might be considered should impose 24 hour supervision as a condition.

With the help of a slide, Ms A Edwards pointed out that adjoining properties were extremely overlooked and the proposal was not a like for like occupancy. A care home had provided a peaceful and safe setting for her and other families. Difficulties could arise with complex needs which covered a wide variety of conditions, some of which could be a threat to parents and families. Complex needs and behaviours included mental health and drug addiction; it was time for complete clarity and an understanding of the risks which might be reduced but never eliminated. There was no indication in the application that there would be effective management on site or confirmation that it would be properly policed. The proposal was not suitable in this location.

Speaking on behalf of Lowestoft Town Council, Mr A Green referred to the exceptional circumstances in policy WLP8.4 which needed to be demonstrated and there was nothing in this application that fell within that category. An HMO property should be located in a commercial, mixed use or other area close to services and facilities, be able to meet existing standards for parking, amenity areas, refuse bin storage and sound insulation and have no significant detrimental impacts to adjoining family houses. The property in question was self-contained accommodation of an above average size with a long established use. However, the previous use had had no impact on the family

houses in the vicinity. Support for vulnerable people with different diagnoses varied and specialist support was needed according to each person's circumstances. There was no indication on how that support would be provided and no indication of staff to service user ratio. The proposed use was of concern and the Town Council was of the opinion that the change of use would have a detrimental impact on residents.

Ms T McKensie, representing Mavam Supported Housing, advised that the officer's report had a good understanding of the proposal. Over a 10 year period, they had established good relationship with neighbours and tenants over eight sites. They supported vulnerable people with mild learning/mental health issues providing staff 24/7. Each individual would be subject to a robust assessment before being accepted and the supported living would also include looking at improving their daily skills. There would be an on-call system for back-up if necessary and they would also work with the community police. With regard to transport, public transport would be promoted and it was expected there would be 2-3 staff cars on site. It was hoped to work with the community in the best interests of everyone.

Members raised questions relating to the layout plan. The previous Cleveland Road application was comprehensive and had little flats for independent living, 24 hour accommodation with somewhere for the member of staff to be located.

The Applicant confirmed that there was currently office accommodation on the premises which would be used and staff sleeping accommodation would be on the ground floor. It was hoped to rehabilitate people by providing them with daily skills to help them move on. It was not intended to be a long-term home for the residents.

As Ward Member and having been a Councillor for 26 years, Councillor Patience could not recall having been so concerned over a planning application and his ward constituents were really concerned over the proposal. With respect to the officer, being a long established care home was not the same as being a HMO. HMOs usually had no more than six people and was in a class of its own. The impact of this proposal for those with both complex and special needs should be taken into account. Concerns over neighbour amenity, overlooking, safeguarding, anti-social behaviour and crime were genuine. Councillor Patience commented on the residential care beds that would be lost even though the previous owner had spent a few years on refurbishment, improvements, the frontage, drop kerb, and parking on site. It might be necessary when manoeuvring to reverse onto the road and that was unsatisfactory. He made reference to the crime figures and flat saturation in the area which were already having a cumulative impact in the area and further commented on the likelihood of problems in the area increasing. 24 hour supervision appeared to be key and that was not included in the conditions. Accommodation for this type of proposal should be in the right place at the right time – this it was not. Councillor Patience urged the Committee to vote against the proposal.

Note: At 3.42pm, the meeting host drew attention to some technical issues experienced by Councillor Elliott with regard to his internet connection. After seeking clarification, it was confirmed by the Chairman of the Committee that Councillor Elliott had been in attendance for sufficient time to continue to participate in this item.

The Chairman invited questions.

Members raised issues with regard to:

- The areas for office use.
- The location for the 24 hour carers to stay overnight.
- Noise levels.
- Number of members of staff needed to stay overnight due to severity and different needs.
- Whether the premises providing residential care was classed as providing modern facilities.
- Floor plan of proposed accommodation.
- Security around the property and overlooking into neighbouring gardens.

The Senior Planner confirmed that one of the lounge areas at the front was to be used as an office and a further room at the rear in the areas of rooms 4 and 5. The other lounge at the front of the building was to be a communal area. It was likely that the operator would change the internal layout in accordance with the change of use. It was explained that, whilst recognising the shortfall of residential accommodation, there was no policy protection for its retention.

The Head of Planning and Coastal Management advised that, if Members were minded to support the recommendation, approval could be subject to a further condition relating to the formal layout of the internal accommodation. Whilst recognising there was a care home shortage, it was difficult to run a property of this size as a care home.

The Applicant confirmed that staff numbers would depend on individual needs ascertained via an assessment before placing people in the accommodation. One member of staff, possibly two, would stay overnight, with two to four support workers and management being on site during the day.

Members further commented on the number of people that might be using the facility and what was happening with the layout and frontage was not clear. It was not evident as to how the teaching and independent living would operate, whereas a previous application in a different part of the town had clearly identified accommodation.

The Applicant advised that, at this stage, the number of people to be accommodated was not known. There were 12 rooms and an office and an attic flat. Once the facility was up and running, it would become clear. It was expected that each person would have their own room with en-suite, then share kitchen, lounge, garden and access to office staff and those members of staff providing them with living skills which would include shopping, etc.

The Planning Manager suggested if Members wished to see additional information from the Applicant to address their questions, the Committee might wish to consider a deferral.

Members agreed that there was some confusion over the proposal and more detail was required to ensure the application received fair consideration. A deferral would allow additional information to be obtained with regard to the proposed layout,

interior configuration, staffing levels, number of cars being used and security. On a proposal, which was duly seconded, it was

RESOLVED

That, to enable matters raised to be addressed by the Applicant and officers, the application be deferred and brought back to Committee at its next meeting in January 2021.

8 DC/20/3472/FUL - St Marys Catholic Primary School, Kirkley Cliff Road, Lowestoft

The Committee considered report ES/0579 which gave details of the application seeking permission to provide soft and hard landscaping works to an area of St Marys Catholic Primary School's land in order to extend its current outside play areas, and included a new 2m high weldmesh fencing along the boundary to Kensington Gardens. The proposed fence would be the same as the school currently had on the existing southern boundary of the play area. The proposed works would preserve the character and appearance of the Conservation Area and would not result in an adverse impact on the amenity of neighbouring residents or users of the adjacent park.

The Planner advised that a permission granted in 2018 was still live and could be implemented. Since that time, the area had been gated off and incorporated into the school playing grounds.

Members received a presentation showing the site location plan and photographs showing the street scene and current boundaries looking in both directions from and towards the seafront. The proposed block plan outlined the proposed hard play extension and grass area and proposed fencing would match existing.

The Planner outlined the material planning considerations and key issues including the fact that there would be no impact of the longevity of the trees. It was considered the proposed fencing would have no impact on the views in the Conservation Area and approval was being recommended.

The Chairman invited the public speakers to address the Committee.

On behalf of the Town Council, Mr A Green explained that when the land had been transferred to the school, the proposal was for it to be used as a garden. A soft and hard play area was not a garden. A garden would comply with the Government's 2020 strategy and also help with biodiversity. The proposal now was for both hard and soft landscaping and the proposed fencing was not appropriate in the setting adjacent to the heritage park and in the Conservation Area. To approve the application in its present form would be contrary to the Council's declaration of climate emergency and contrary to the original use of the land. Therefore, the Town Council was suggesting refusal.

Ms P Crane, as Headteacher, advised that the proposal was to extend the playground to accommodate the 210 pupils. The hard play areas were important particularly at this time with Covid19 and the need for outside breaks. At this time of year, grass

areas were too muddy. Ms Crane explained that the woodchip area with play equipment had fallen into disrepair thus reducing the hard play areas and it was currently too expensive to replace that equipment. By extending the hard play area, that would increase the zones for the children for ball games and other activities in winter and it was proposed to have a woodland obstacle course in the grass area offering alternative play for the children. The fencing would protect the children from passers-by and preserve the character of the area. Ms Crane thanked the Committee for being given the opportunity to speak and hoped that approval would be given so as to provide facilities for healthy and happier children.

The Chairman invited questions.

Members asked if there were other areas that could be used and commented on the high fencing adjoining Kensington Gardens. Ms Crane advised that the current playground was next to this piece of land and so it made sense to extend the playground. The current fencing was so low, it needed to be replaced and would stop any strangers reaching over the top thereby providing a safe environment for the children. There would be no need to make alterations to existing playground fencing.

As Ward Member, Councillor Byatt advised that his principal concern has been to ensure that the trees would not be interfered with and, whilst sympathising with the school, it was a shame to compromise and provide a smaller area for nature. Anything that provided children with additional space should be welcomed and he noted that the existing gates would be removed and replaced with fencing. Councillor Byatt commented that the proposal would support the children with exercise and that might help address obesity.

Members supported the application, whilst expressing concern over the reduction of green space. It was considered the proposal would support both mental and physical health particularly under Covid19 restrictions. On a proposal to support the application, which was duly seconded, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

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

- Site location plan, 17-0548-CDP-DR-00-XX-L-20, received 07/09/2020
- Proposed block plan, 17-0548-CDP-DR-ZZ-XX-L-1001-P1, received 07/09/2020
- Proposed Fence Detail, 17-0548-CDP-DR-00-XX-L-1003, received 07/09/2020
- DESIGN AND ACCESSIBILITY STATEMENT, received 07/09/2020, 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 soft landscaping works shall be completed within 6 months from the completion of the hard landscaping, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason: to ensure the satisfactory external appearance of the building.

Note: Councillor Cooper left the meeting at 4.35pm

9 DC/20/2993/FUL - The Alders, Potters Street, Theberton

Having declared an interest in Item 9 on the Agenda, Councillor Cooper left the meeting room and took no part in the discussion or voting on the application.

The Committee considered report ES/0580 which gave details of a full planning application for the use of land for the standing of three camping pods and four parking spaces at The Alders in Theberton.

The application was before Committee as the Applicant was a close relative of a member of the Council.

Members viewed a presentation which provided a site location plan, aerial photo and showed the undefined meadow area, footpath, area in flood zone 2 and nearest neighbour some 80m distant. It was proposed to use the current access and would require the removal of the current fence and a short section of hedging. The proposed block plan gave an indication of the layout and the pods, measuring 5x3m by 2.7m in height, would be subject to a condition on the precise design.

The Planner highlighted the material planning considerations and key issues and explained that, in context and with the proposed improved habitat and grass management, it was considered to have limited impact.

The Planner advised that the scale of the development as tourist accommodation was modest and there was likely to be sufficient need/demand. In addition, the development included the management of the wider meadow as rough pasture for ecological gain. The pods would have a low visual impact and hedge planting would mitigate impact. The separation to the nearest neighbour should limit the likelihood of noise and would not therefore conflict with policy SCLP11.2.

If Members were minded to approve the application, ecological mitigation and enhancement would be made a condition of the planning permission. It was confirmed that the RAMS payment had now been received.

The Chairman invited the public speaker to address the Committee.

Mr M Price, the Agent, thanked the officer for a very comprehensive report and advised that no objections had been received from statutory bodies. The proposal fully complied with the Local Plan and would support tourism in the area. The existing access was to be improved and the application included environmental enhancements and biodiversity. He confirmed that the tree to be removed was actually dead. Mr Price asked Members to support the application which would have normally been determined by delegation.

In response to questions, Mr Price confirmed that the condition on the style of the pods was fairly generic as his client had not yet decided on the provider for the pods. If Members approved the application, they would be happy to bring back the design of the pods.

Members supported the proposal and there being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drgs Site/location plan; Landscape Strategy received 07.08.2020 and Drgs Cycle Storage and Visibility Splay received 11.11.2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. No more than three camping pods shall be placed on the site. Details of the pods to be installed/sited shall be submitted to the local planning authority for approval in writing. Only approved pods shall be sited. No other camping or caravans shall be placed on the land.

Reason: In the interest of amenity; insufficient detail was provided a application stage.

4. The accommodation herein approved shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the units of holiday accommodation shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation. The owners/operators of the holiday accommodation hereby permitted shall maintain

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

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

5. Foul drainage shall be by way of a sewage treatment plant; full details of the proposed sewage treatment plant, shall be submitted to the Local Planning Authority before installation. Such details shall include the site of the proposed unit, the make, design and projected loading and the final discharge point. Only a scheme approved in writing by the Local Planning Authority shall be implemented at the site and shall be fully operational before the development is first occupied.

Reason: To prevent pollution of the water environment.

6. The use shall not commence until the areas within the site shown on Landscaping Strategy Drawing for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the areas shall be retained and used for no other purpose.

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

7. Before the access is first used visibility splays shall be provided as shown on Drawing No. CCF_000182 (Visibility splays received 11.11.2020) with an X dimension of 2.4 metres and a Y dimension of 24 metres Northwards and 29 metres Southwards and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting 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: In the interests of highway safety in order to maintain intervisibility between highway users.

8. No development shall commence until satisfactory precise details of a hedge planting scheme (which shall include species, size and numbers of plants to be planted) has been submitted to and approved in writing by the local planning authority.

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

9. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or

becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

10. The meadow to the south of the site, identified on the Landscape Strategy drawing, shall be managed for ecological benefit and used for no other purpose. Details of the management strategy shall be submitted to the Local Planning Authority for approval in writing before the use is commenced and the land shall be managed thereafter in accordance with the approved details.

Reason: To ensure ecological enhancement.

11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Survey Report (MHE Consulting, December 2018) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

12. No external lighting shall be installed on site unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

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

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. No further development (including any construction, 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 Prior to the commencement of the use, a detailed flood evacuation plan for the development shall be submitted to the Local Planning Authority for approval in writing. The use shall commence only after the flood evacuation plan has been approved and it should be followed thereafter.

Reason: To ensure users of the site are safe from flooding risk.

Note: Councillor Cooper re-joined the meeting and Councillor Brooks left the meeting at 4.46pm.

10 DC/20/3627/OUT - Ilium House, Henham Park Estate, Henham

The Committee considered report ES/0581 which gave details of the outline application for a new Hall within Henham Park, a Grade II listed Registered Park and Garden, to replace the Hall demolished in 1953.

The Senior Planner advised that the application was before Committee because the development was contrary to the Development Plan. However, an exception to policy was considered to be justified because it would seek to restore and enhance the listed historic parkland as large significant family homes represented key elements of these landscapes. In this case, that had been lost when the previous hall was demolished.

Members viewed a presentation which showed the site within the historic park, a view of the hall designed by James Wyatt in the 18th century, both the existing and proposed block plans, and photographs from within the looking out of the site.

The Senior Planner gave a brief history of the site and developments over the last 500 years and advised that in 2007 outline consent had been granted for a hotel and apartment complex but that had not been feasible. She explained the material planning considerations and key issues and, although against policy, it was considered to be justified as there had been a succession of halls in the vicinity of the application

site. The historic environment would be preserved in accordance with the NPPF and policy WLP8.37. The Applicant wished to build a new family home; there had been no objections and the proposal was supported locally.

Having taken into account the planning considerations and the financial contribution under the Suffolk Coast RAMS for mitigation measures, it was considered the proposals to restore a new family home within Henham Park were justified and benefits would be gained in preserving and enhancing the designated heritage asset. Approval was therefore being recommended subject to appropriate conditions.

In response to Members' questions, the Senior Planner confirmed that the reserved matters application would be submitted to Committee and that nothing remained of the previous hall other than foundations which would be preserved. It was confirmed that the original dwelling had been lost.

On a recommendation for approval which was duly seconded, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

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

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

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

3. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording
- b) The programme for post investigation assessment
- c) Provision to be made for analysis of the site investigation and recording
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the

site investigation

f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g) The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: The site is potentially of archaeological and historical significance.

4. 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 previously approved 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 Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2019).

5. 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 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.

6. Concurrently with the first submission of reserved matters details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the

Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

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

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 site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

1) A desk study and site reconnaissance, including:

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

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

- *the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- *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 to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and the Land Contamination Risk Management.

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. 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 BS8485:2015+A1:2019 and Land Contamination Risk Management.

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. Prior to any occupation or use of the approved development the RMS approved under condition 8 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.

10. 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 the RMS approved under condition 9 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.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

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. 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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) 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.

12. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part 1, Classes A, B, C, D, E, and H; Part 2 Classes A and C; and Part 14 Class A of Schedule 2 of the said Order shall be carried out unless unless prior application is made to the local planning authority and their approval in writing obtained thereto.

Reason: In order that the local planning authority may retain control over further development within the historic parkland in the interests of preserving the special character of the designated heritage asset.

11 DC/20/4097/FUL - Unit 24 Fountain Way, Reydon, Southwold

The Committee considered report ES/0582 which gave details of the proposal for the change of use of an ESC business unit from B2 to a MOT station/Garage including a rolling road in the floor (sui generis use).

The application was before Committee as the Council was the landowner.

Members viewed a presentation which showed a site location plan, an aerial view and photographs of the businesses on the business park.

The Principal Planner explained that the proposed use accorded with employment

objectives of the Local Plan and the proposed development would enable a local business to relocate to a business unit suitable for their operation and close to their existing customer base. It was considered that no material harm would arise from the proposed development. In planning case law, an MOT station was a sui generis class and therefore needed planning permission. The Principal Planner confirmed that no objections had been received prior to the close of the formal consultation period and the application was being recommended for approval subject to conditions.

In response to a question relating to the comment made from Environmental Protection about a noise assessment, the Principal Planner advised that this was not relevant for a sui generis on a commercial site where noise levels were to be expected and not harmful to any local residents.

Members welcomed the proposal to move a local business into suitable accommodation and there being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The hereby approved development shall be carried out in accordance with: the application form and Drawing No. EQD-AP-045, received 14 October 2020; and the Site Location and Block Plans, received 28 October 2020.

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

3. The use hereby permitted shall only take place during the following hours:

08:00 to 18:00 on Monday to Friday; and
08:00 to 13:00 on Saturdays.

The use hereby permitted shall not take place on Sundays and Bank Holidays.

Reason: as set out by the applicant in section 20 of the application form; and to limit noisy activities to standard working hours.

12 DC/20/2862/FUL - Oak Tree Farm, Cox Common, Westhall

The Committee considered report ES/0583 which gave details of the application for full planning permission for the conversion of an agricultural building/barn into two four bedroomed residential dwellings, following Class Qa and b prior approval, including associated landscaping with use of existing access at Oak Tree Farm, Westhall.

The application was before Committee for determination because the proposal was contrary to the Adopted Local Plan but recommended for approval.

Members viewed a presentation which showed the site location, aerial view of the site and location of other buildings in the vicinity, the application building and proposed layout and elevations. The development included planting and hedgerow, parking and a turning area.

The Principal Planner explained that the building benefited from an extant prior approval under Class Q for the conversion to two dwellings which represented the fall back position for the site. Whilst contrary to the adopted Local Plan, the proposed conversion of the building was similar to the extant prior approval scheme and that fallback position was a key material planning consideration in the determination of the application now before Members. The Principal Planner mentioned that compared to the extant scheme, the proposal would result in a better design solution for the amenity of future residents and ensure that field access to the wider farmland was retained.

In addressing the material planning considerations and key issues, the Principal Planner advised that the plans before Members had improved the residential amenity and the design was considered to be acceptable. There were no issues with Highways or access and the scheme was being recommended for approval.

The Chairman invited questions.

Members questioned the following:

- If the garages were big enough for 4x4 vehicles.
- The ability to reactivate an alternative access.

The Principal Planner advised that spaces at the front of the buildings should provide adequate parking; the spaces under cover were extra integral spaces and he was not able to confirm the precise size of those spaces. There were no changes proposed to the current access and it would not be possible to prevent another application being submitted for an alternative access on a different area of the Applicant's landholding, which would then have to be considered on its own merits. It would be possible to draw attention to the field access being via the retained concrete pad in an informative.

Members agreed that the proposal before them provided better parking arrangements and amenity for the proposed two dwellings and unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with Drawing Nos. 20- 001, 20-002, 20-004 and 20-205, received 30 July 2020.

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

3. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Survey report (JP Ecology, October 2018) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

4. Within 3 months of commencement of development, precise details of a scheme of landscape works (which shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) shall be submitted to and approved in writing by the local planning authority.

The approved scheme shall be carried out at the first planting season following approval of the scheme of landscape works, 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 that there is a well laid out landscaping scheme in the interest of visual amenity and preserving the setting of the listed building.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 [or any Order revoking or re-enacting the said Order with or without modification] no development of any kind specified in Parts 1 and 2 of Schedule 2 of the said Order shall be carried out unless express planning permission for such development is granted by the local planning authority.

Reason: In order to ensure that the setting of the listed building is preserved.

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:

a) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and

- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

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

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

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

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

13 DC/20/4436/ADI - East Point Pavilion, Royal Plain, Lowestoft

The Committee considered report ES/0584 which sought illuminated advertisement consent for new signage for the East Point Pavilion. The proposal included a combination of illuminated and non-illuminated fascia panels and vinyl wrap/new cladding, such works were considered sympathetic to the building and would not adversely impact on the surrounding area.

The application was before Committee as the application had been submitted by the Council.

Members viewed a presentation which showed aerial views, the site location and photographs of the pavilion. Further slides of the elevations gave an indication of the proposed graphics based on inspiration from a Hemmingway design.

The Planner outlined the material planning considerations and key issues including the character, appearance, amenity and highway safety. The proposal was considered to be a bold statement, however, it should be noted that the building did not fall within an historic category. It was considered there was no impact on the Conservation Area or listed buildings in the area.

Although two representations of objection had been received, it was considered that the principle and detail of the development was acceptable and in compliance with the relevant policies. It was proposed that advertisement consent should be granted.

The Chairman invited the Ward Member to speak.

Councillor Byatt welcomed the proposals to bring the building back into use but he did have concerns that the colour design was a tad garish in the vicinity of the 1892 yacht club listed building. Comment had been made that the crystal palace look of the pavilion in a heritage zone would be spoilt. The proposals should be respectful of the character and appearance of the area and it might be more appropriate to go for a pastel palette or a scheme in keeping with the First Light Festival. The signage should enhance the area and not be mocked.

Members wished to support the application and, whilst a muted colour on one side was considered, comment was made that the striking and bold design could be a good talking point and entice people with its brightness. The adjacent pier was red and the lighting in some local premises was very impressive. There being no further debate, it was

RESOLVED

That advertisement consent be granted, subject to the following conditions:

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

2. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

Reason: as required by the Town and Country (Control of Advertisements) Regulations in force at this time.

3. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

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

- Site Location Plan, EX-001, received 04/11/2020
- Proposed elevations, GA-201, received 04/11/2020

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.

14 DC/20/4024/FUL - 26 Shearwater Way, Reydon, Southwold

The Committee considered report ES/0585 which gave details of the planning application for a single storey rear and side extension to a dwelling at 26 Shearwater Way in Reydon. The application was before Committee as the Applicant was closely related to a member of staff.

The application site comprised a semi-detached two storey dwelling of modern construction, primarily faced in brickwork, and the proposal was to construct a single storey extension wrapping around the south eastern corner of the house to enlarge the kitchen and utility space.

Members viewed a presentation showing an aerial view and site plan together with existing and proposed elevations, and proposed floor plans.

The Principal Planner explained that planning permission was required because the proposal projected beyond a side wall within an Area of Outstanding Beauty where that aspect of permitted development regulations were more closely controlled and also because the width of the extension was greater than half the width of the original dwelling.

It was considered that the proposed extension was in harmony with the host building and its surroundings and raised no issues with regard to neighbour amenity. Approval was therefore being recommended.

The Committee supported the proposal and it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Design & Access Statement, Site Plan and proposed Block Plan Drawing 201100, proposed Elevation Drawing 201103 and proposed Floor Plan 201104I received 9th October 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

The meeting concluded at 5.34pm.

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Chairman

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

12 January 2021

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 18 December 2020. At present there are 13 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 18 December 2020 be received.

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 • 01/03/2016 – Planning Appeal 	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>dismissed</p> <ul style="list-style-type: none"> • 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. • Review site regarding day block and access after decision notice 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>released for enforcement notice served in connection with unauthorised occupancy /use of barn.</p> <ul style="list-style-type: none"> • 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 remedy sought. Verbal update to be given. 	

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"> • 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-attendance as was required in the Order of 27/03/2019. 	

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"> 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. Charging orders have been placed on the land to recover costs. 	

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. • Further enforcement action to be put on hold and site to be 	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>monitored</p> <ul style="list-style-type: none"> • 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 Notice. Case to be referred to Legal Department for further 	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>action.</p> <ul style="list-style-type: none"> • 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 days for the site to be cleared before the Notice is served. 	

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"> 01/04/2019 – 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 Appeal Dismissed with variations. Compliance by 20 January 2021 	
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/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	<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 	31/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				portacabins	<p>and has a 4 month compliance period</p> <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 • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision 	

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 dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • 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 	30/04/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Planning Inspectorate. Statement due by 30/07/19.</p> <ul style="list-style-type: none"> • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. 	
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 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					Decision <ul style="list-style-type: none"> • Appeal dismissed and amended. Compliance with both Notices by 13/08/2020 • Site visit conducted. Some works have been completed but due to Covid-19 pandemic work to remove refrigeration units has been delayed. Extension of time given until 02/10/2020. • Further extension of time given until 30/11/20. • 03/12/2020 - Site visited. MCU Notice has been complied with and Operational Development Notice partially complied with. Final steps are not required for completed until 31st March 2021. 	
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	<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 	30/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	28/05/2019. <ul style="list-style-type: none"> • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. 	
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 • Currently within appeal period. • Application received DC/20/1387/AME to amend roof material. • DC/20/1387/AME approved 28/04/2020. • Team monitoring progress • Work due to commence early 	01/12/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					November 2020. <ul style="list-style-type: none"> • Site Visit planned to check compliance. 	
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. • Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step. • Enquires being made to take direct action. • Contractors arranged to undertake the required work. • Owner arranged for workers to undertake required work in place of Council Contractors. • Site visit due to check compliance. • Notice not complied with in full. Internal discussions being held to decide the next step. • Contractors being contacted to complete work. 	30/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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 • Site visit undertaken, summer house still in situ. Further action to be considered. • Property has now changed hands. Contact with new owner to be established. • Officers are now in contact with the new owners and are discussing a way forward. • Six weeks given for summerhouse, decking and steps to be removed. • Site to visited. 	31/01/2021
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 • Awaiting Planning Inspectorate Decision • Appeal dismissed with amendments. Compliance date 26.12.2020. Judicial 	23/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					review submitted. • Judicial review dismissed. Compliance date 23/03/2021	
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	• 30/06/2020 – Enforcement Notice served. Appeal submitted awaiting start date. • Appeal started. Final comments by 09/11/20 • Awaiting Planning Inspector Decision.	30/01/2021

Committee Report

Planning Committee North - 12 January 2021

Application no DC/20/3142/FUL

Location

High Lodge Leisure
Darsham Road
Hinton
Blythburgh
Saxmundham
Suffolk
IP17 3QT

Expiry date 7 December 2020

Application type Full Application

Applicant Darwin Leisure Development Properties (Guernsey) Ltd

Parish Blythburgh

Proposal Redevelopment of golf course and vacant paddock land for the siting of 170 holiday lodges, 3 tree houses, new Facilities Building, Maintenance and Housekeeping Building, car parking and associated highway works.

Case Officer Michaelle Coupe
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1 Summary

- 1.1 This application is for a significant extension to an existing holiday and leisure facility at Hinton within the parish of Blythburgh. It proposes 170 holiday lodges, 3 treehouses and a central facilities building containing a restaurant, bar and cafe along with leisure facilities including an indoor swimming pool, on land currently in use as a golf course. The existing clubhouse, holiday lodges, shooting range and fishing facilities would remain in separate operation under the current High Lodge ownership.
- 1.2 The site is located in the countryside, alongside the A12 between Darsham and Thorington and is outside the Suffolk Coast and Heaths Area of Outstanding Natural beauty (AONB). The recommendation is Authority to Determine with approval being

recommended on the submission of additional information to satisfactorily address holding objections from the Highway Authority and Suffolk County Council Floods Authority, and to address ecological issues.

- 1.3 The application has been referred direct to the Planning Committee (North) by the Head of Planning and Coastal Management due to the significant local interest.

2 Site description

- 2.1 High Lodge Leisure, 'High Lodge', is a 48.5 hectare site which lies on the east side of the A12 approximately 2km north of Darsham and south of Thorington. The village of Bramfield is also close by to the west. At present the site offers a range of leisure activities including holiday lodges, shooting school, golf and fishing, along with a restaurant, clubhouse and function suite.
- 2.2 Vehicular access to the site is gained via a private driveway of approximately 5 metres in width, with passing places for larger vehicles at regular intervals, leading northeast from Hinton Road, which in turn connects to the A12 by means of a priority junction approximately 40m to the west of the site access junction. On the opposite side of this junction is the Two Magpies Bakery/Café. On the opposite side of the A12 is Peacock Farm which includes a grade II listed farmhouse.
- 2.3 Hinton Road is a single carriageway road of approximate width 5.5m in the vicinity of the access with High Lodge, though narrowing further east to 3-4m in width. The road has no footways or street lighting, and also provides access to agricultural properties/land and Haw Wood Farm Caravans and Camping, approximately 730m east of the High Lodge access.
- 2.4 The Site is relatively well screened by existing vegetation with the boundaries of the Site formed of mature trees and well-established hedgerows, particularly along the northern and southern edge. Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) is located approximately 3km south east of the site. There are a number of areas designated for their conservation value to the east of the site including SAC, SPA, Ramsar and SSSIs. The nearest of these is Minsmere-Walberswick SPA/Ramsar that is also designated as Minsmere-Walberswick heaths and marshes SAC/SSSI, located approximately 0.9 mile to the east of the Site. Ancient woodland lies to the north of the site.

3 Proposal

- 3.1 The application is for the development of 24.7 hectares of the land, which is largely used as a golf course at present, to provide 170 holiday lodges, three treehouses and a central facilities building containing a restaurant, bar and cafe along with leisure facilities including an indoor swimming pool. The existing clubhouse, holiday lodges, shooting range and fishing facilities would remain in separate operation under the current High Lodge ownership.
- 3.2 The applicants state the demand for golf facilities has seen a national decline in recent years, particularly for nine-hole pay and play courses such as High Lodge, but that there has been a sizeable increase in demand for high quality holiday accommodation

that would complement the shooting and fishing provision that will remain at the adjacent High Lodge site. The units would fall under the legal definition of a caravan under the 'Caravan Sites and Control of Development Act 1960.' They are therefore not fixed built lodge development and can be removed if required.

- 3.3 Existing field boundary hedges and trees are proposed to be retained and enhanced, as well as the existing linear tree belts located within the golf course.
- 3.4 The main access would be re-configured, and there would be off-site highway improvement works in the form of a ghost island right turn lane at the existing Hinton Road/A12 Junction. The applicants state this is not required in pure capacity terms; however, it will provide safety benefits given the increase in right turning vehicles from the A12. Visibility splays of 4.5m x 215m will be provided, commensurate with the 60mph speed limit.
- 3.5 A new Spine Road will be provided along the northern boundary of the site, 15m from the Ancient woodland, serving both the proposed lodge accommodation and the existing High Lodge Leisure site. The corridor between the new spine road and the Ancient Woodland is to be planted as a wildflower meadow and used as a gradual dispersal swale for surface water from the road. There is a combination of both grouped parking and individual allocated parking spaces, with an average of 2 car parking spaces allocated per lodge. The whole site will also be connected via paths and walkways, linking all accommodation to the Central Facilities Building. All lodges will have path access suitable for electric buggies.
- 3.6 The field adjoining the A12, comprising around five hectares, is to remain open space and will include an attenuation pond with the material excavated forming a bund along the A12 boundary with additional planting. Ancillary infrastructure including a Housekeeping/Maintenance Facilities Building, a Gas Compound and Sewage Pumping Station are also proposed.
- 3.7 It is envisaged that around 35-40 members of staff would be employed at the park, the majority of whom would be in permanent full-time roles. In addition, there would be a number of contract cleaners with a core of around 15-20, but this could increase to 65-75 at busy times. The lodges would be suitable for year-round use, and it is stated in the submission that the estimated revenue generated to the local economy per annum would likely be £3,329,371.
- 3.8 The proposed Central Facilities Building (CFB) is located relatively central within the site and will act as a focal point to guests, allowing efficient arrival, parking and check-in, and thereafter direct access to lodges through secure vehicle/automatic number plate recognition. It will comprise the following:
 - Bar and Restaurant (including outside space for 40 restaurant covers, and 24 bar covers)
 - Gym
 - Café/Lounge
 - Two Lane Bowling Alley
 - Games Area
 - Children's Activity Room/Craft Area

- Indoor Swimming Pool
- Shop (selling local produce and essential facilities for guests)
- Administration and Staff Areas
- Male and Female Changing Area and Toilets
- Accommodation Check-In Area
- An Outdoor Splash Zone, Adventure Play Area and Tennis Court (located to the back of the CFB overlooked by the outdoor seating areas and accessible via pathways from the lodge accommodation areas).

- 3.9 The new lodge accommodation will comprise a range of unit sizes ranging from one to five bedrooms. The three tree houses will be open plan with en-suite shower room. The units will cater for a range of holiday guests from couples/small families, to large families and groups. Each of the units will be provided with either an external deck or a paved sitting area for outdoor enjoyment.
- 3.10 It is proposed to use a system of low-level lighting bollards fitted with low energy soft LED light fittings. These shine downwards to avoid light pollution and disturbance to nocturnal animals and will be located along the road edges and around some of the paths where additional lighting is required. In other areas around the Main Complex where it is explained more lighting is required and along the first section of the spine road, there will be a few high-level lighting columns introduced which are 5m height with antipollution heads which ensure that the light shines downwards, again fitted with soft white LED low energy fittings.
- 3.11 The application is supported by a number of documents including a Transport Assessment; Interim Travel Plan; Flood Risk assessment (FRA) and surface water drainage strategy; Arboricultural survey; Phase 1 Geo-Environmental Assessment; Noise Assessment; Ecology surveys; Habitat Regulations Assessment and Economic Statement.

4 Consultations

- 4.1 One letter of support has been received indicating it would provide many jobs and increase tourism spend in the area.
- 4.2 11 objections have been received raising the following key concerns (inter alia):
- The proposal is an overdevelopment, the scale of the development, which is the size of a village, is out of keeping with rural nature of area;
 - Cause further congestion on the A12, the junction of Hinton Lane with the A12 cannot cope with the level of traffic likely to be generated together with the traffic generated by the adjacent bakery and another campsite located in Hinton Road;
 - Traffic survey's not done at busiest times so traffic modelling is inaccurate;
 - No account has been taken of Sizewell C traffic particularly given the proximity of a park and ride facility at Darsham;
 - EDF also propose to alter the junction of the A12 and A144 which could affect the proposals to add a right turn lane;

- There is often queuing traffic along the A12 during the summer blocking residents accesses which will be made worse by the proposals;
- An alternative access should be sought;
- there will be additional pressure on local amenities and roads;
- Cause light pollution and likely affect the dark skies status of the nearby camp site;
- Cause increased noise and disturbance to residents;
- Adverse impact on wildlife by such a large number of people;
- The water pressure in the area is very low and this will compound the problem;
- Limited supply of water and electricity for residents and businesses;
- Too close to residential properties to the south, there should be more screening in the form of a bund and additional tree planting to reduce noise and visual impact;
- Too close to the AONB which should be preserved;
- The sewage and gas compound should be re-positioned close to main building away from neighbouring properties;
- Increase difficulty of crossing the road for users of the footpath directly opposite the site;
- The application should go to Planning Committee.

Consultees

Consultee	Date consulted	Date reply received
Blythburgh Parish Council	8 September 2020	29 September 2020
<p>Blythburgh Parish Council discussed this at a special meeting on 28 September 2020 and agreed the following.</p> <p>Blythburgh Parish Council are keen to encourage enterprise, welcome the creation of new jobs and support the potential for increased business for local shop keepers, pubs, restaurants and tourist sites. On this basis Blythburgh Parish Council does not object in principle to further development at the High Lodge site.</p> <p>However, Blythburgh Parish Council are concerned that an additional 170 holiday lodges and 367 car parking spaces to be over development of this site and have concerns about the adequacy of infrastructure to support a development of this size, namely:</p> <ul style="list-style-type: none"> -Access / egress from and to the A12. There is mention in the actual application of altered access to the public highway but details appeared lacking. -Capacity of Foul sewer -Will upgrading the electricity supply will be realistic and adequate? -The adequacy of water pressure to support this size of development. -Internet connectivity must be enhanced -Much additional lighting is required ' what is the impact on bats and where are the safeguards? <p>The High Lodge site is close to an AONB and Blythburgh Parish Council are concerned about the impact of this development on the "landscape & scenic beauty" of the AONB (the NPPF gives this the highest state of protection). Furthermore, during a previous site visit, birds seen included, Barn Owl (a Schedule 1 protected species), Grey Partridge (endangered species), Common Buzzard, Bullfinch, Reed Warbler and several other warbler species. A visit to the site within the last 2</p>		

weeks reinforced Blythburgh Parish Councils view that there is a lot of wildlife on this site and specific provision should be made to provide new habitats for all species should this development go ahead. We are further concerned that guidance received indicates that no EIA is required. If approved restrictions should be in place to ensure it remains holiday accommodation.

Consultee	Date consulted	Date reply received
Thornington Parish Council (neighbouring Parish)	10 September 2020	1 October 2020

Bramfield and Thorington Parish Council object to the proposed development at High Lodge, Hinton. It was concluded that the scale of development was wholly inappropriate to this rural location.

Councillors objected to the adverse impact that the development would have on the amenity of nearby residents as a result of noise (particularly in the evenings when there would likely be entertainment), light pollution and traffic movements. It was also considered that the junction with the A12 (notwithstanding the changes proposed) is not suitable for the huge increase in traffic that would result from the scale of the development proposed.

The impact the proposal would have on the wildlife in the area is also extremely worrying. It is appreciated that an Environmental Report was submitted with the application. However, residents familiar with the area (and the wildlife within it) are surprised how little was found. It was suggested that this is not truly representative of the number of species (and the number of each species) that are actually present on the site and surrounding area.

Councillors felt that the development would have a negative impact on the appearance of this rural location by reason of its scale and the limited attempts to integrate the proposals into the surrounding landscape (bundling is not considered ideal).

Concerns were also raised regarding the ability of existing infrastructure to cope with the addition of 170 units of accommodation. Drainage, water supplies and power provision are already reported to be at their limits by local residents. No indication of how the services will be improved to cope with the extra demand is provided within the application.

Statutory consultees

Consultee	Date consulted	Date reply received
Natural England	8 September 2020	11 September 2020

Summary of comments:

Advise that contributions will be required to be made to the Suffolk RAMS and that as the site is close to the AONB impacts on this national designation should be considered as well as regard given to the landscape policies of the Local Development Plan.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	9 September 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 September 2020	16 September 2020
<p>Summary of comments:</p> <p>Recommend a holding objection because the proposed drainage strategy does not sufficiently incorporate sustainable drainage principles as part of the development. Policy SCLP9.6 of the Final Draft Suffolk Coastal Local Plan states that sustainable drainage should be integrated into the landscaping scheme and green infrastructure of the development and contribute to the design quality of the scheme. Open SuDS should be delivered wherever possible, and if early consideration is given to the overall surface water drainage strategy associated with this development, it is considered that this is achievable.</p> <p>Notwithstanding the above, the current strategy proposes a large piped network and multiple geo-cellular storage tanks, both of which could potentially be removed through efficient design. An additional consequence of the piped network and geo-cellular storage tanks is the large depth of the attenuation pond and the attenuation swale.</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	9 September 2020	24 September 2020
<p>Summary of comments:</p> <p>The A12 is a highly trafficked strategic route linking Ipswich and Lowestoft. In this location it is rural and high speed and whilst the proposal to create a ghost island right turn junction layout is welcomed and necessary due to increased traffic flows (in accordance with DMRB CD123), reassurance that the proposed layout will not be detrimental to highway safety is required prior to determination of the planning application. Therefore, a stage 1 Road Safety Audit will need to be submitted before the Highway Authority can support the proposal. It is also recommended that an existing footway along the A12, 300m south of the site, be extended up to the site to improve links to local public transport and footpath and cycle routes. Further clarification of achievable visibility splays is also required, together with a sensitivity test on the submitted junction modelling to take into account Sizewell C traffic.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	9 September 2020	No response
Summary of comments: Internal planning consultee. Design and heritage matters covered in Planning Considerations section of this report.		

Consultee	Date consulted	Date reply received
Disability Forum	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Ecology (Internal)	9 September 2020	No response
Summary of comments: Internal planning consultee. Ecology matters covered in Planning Considerations section of this report.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	9 September 2020	22 September 2020
Summary of comments: Have reviewed the noise assessment and Phase 1 Contaminated Land report and recommend conditions regarding compliance with the noise report and unexpected contamination as well as a condition requiring the submission of a Construction Management Plan.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 September 2020	9 September 2020
Summary of comments: Suffolk Fire and Rescue Authority recommends the installation of a water tank separate from any other form of water system e.g. one forming part of a sprinkler main the use of an existing area of open water as an emergency water supply. The need to comply with Building Regulations regarding access by fire appliances is also noted.		

Consultee	Date consulted	Date reply received
Golf England	9 September 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Network Rail	9 September 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	9 September 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	9 September 2020	8 October 2020
Summary of comments: The proposed site does not contain any public rights of way (PROW), however we would suggest that the following points be considered in terms of green access: <ul style="list-style-type: none"> Access for cyclists from the site onto the local quiet lanes is made as easy as possible. The site should have an internal walking route, not just roadways that may be used by pedestrians and motorised traffic. If the site allows dogs, then it should include an area where guests can let their dogs off lead. 		

Consultee	Date consulted	Date reply received
SCDC Enforcement Team	9 September 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	9 September 2020	No response
Summary of comments:		

Internal planning consultee. Tree and Landscape matters covered in Planning Considerations section of this report.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	8 September 2020	6 October 2020

Summary of comments:

Holding objection because of the potential for light spill to have a negative impact on the nearby County Wildlife Site which is Ancient Woodland. Important that dark corridors are retained around the site for the foraging and commuting bats. Therefore, a lighting strategy in accordance with current guidelines¹ is required. Also concern that these proposals will result in the degradation of the County Wildlife Site through increased recreational disturbance. Therefore, measures to limit the impacts of this should be detailed within a Landscape and Ecological Management Plan.

Consultee	Date consulted	Date reply received
Network Rail	8 September 2020	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
SUSTRANS	8 September 2020	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	8 September 2020	2 October 2020

Summary of comments:

Internal planning consultee. Tree and Landscape matters covered in Planning Considerations section of this report.

Consultee	Date consulted	Date reply received
Golf England	8 September 2020	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Anglian Water	8 October 2020	29 October 2020
Summary of comments: It is confirmed foul drainage has available capacity.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	8 October 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	N/A	14 October 2020
Summary of comments: Make various advisory comments to try to design out crime. It is noted the crime levels in the area are low but still encourage compliance with Secured by Design standards.		

5 Publication

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

Category	Published	Expiry	Publication
Major Application	17 September 2020	8 October 2020	East Anglian Daily Times

6 Planning policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 6.2 The National Planning Policy Framework (NPPF) 2019 and National Planning Policy Guidance (NPPG) are material considerations when determining the application.
- 6.3 The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:
- Policy SCLP4.5 - Economic Development in Rural Areas
 - Policy SCLP6.4 - Tourism Development outside of the AONB
 - Policy SCLP6.5 - New Tourist Accommodation

- Policy SCLP7.1 - Sustainable Transport
- Policy SCLP7.2 - Parking Proposals and Standards
- Policy SCLP9.6 - Sustainable Drainage Systems
- Policy SCLP9.7 - Holistic Water Management
- Policy SCLP10.1 - Biodiversity and Geodiversity
- Policy SCLP10.3 - Environmental Quality
- Policy SCLP10.4 - Landscape Character
- Policy SCLP11.1 - Design Quality
- Policy SCLP11.2 - Residential Amenity
- Policy SCLP11.3 - Historic Environment

7 Planning considerations

Principle

- 7.1 The Suffolk Coastal Local Plan recognises that the tourism sector is a substantial and important part of the Districts overall economy. It sets out that the East Suffolk Business Plan and East Suffolk Tourism Strategy and East Suffolk Economic Growth Plan strive to build on the strength of the tourism economy and set out aims for increasing visitor number outside of the main tourist season. It is also recognised that supporting the industry should not be at the expense of the sensitive natural and historic environments that draw people to the area.
- 7.2 Policy SCLP6.1: Tourism, seeks to manage tourism across the District in a way that protects the features that make the District attractive to visitors, and supports facilities where the local road network has the capacity to accommodate the traffic generated from proposals. Proposals which improve the visitor experience and support opportunities for year-round tourism will be supported.
- 7.3 Policy SCLP6.2: Tourism Destinations - supports proposals for tourism development that contribute to the broad appeal, accessibility and year-round nature of destinations across the district and also outlines that tourism proposals should be of the highest standard of design, which protects and enhances the special character and interest of destinations and the distinctiveness of the area.
- 7.4 Policy SCLP6.4: 'Tourism outside of the AONB' considers areas outside of the AONB to play a key role in supporting and facilitating the increase of tourist destinations and accommodation across the District. This policy supports tourism development outside of the AONB where it:
- a) Enhances the long-term sustainability of the area;*
 - b) Is well related to existing settlements;*
 - c) Avoids, prevents or minimises adverse impacts on the natural environment;*
 - d) Is of a scale that reflects the surrounding area;*
 - e) Is of the highest design standards;*
 - f) Minimises light pollution from artificial light sources and ensures the retention of dark skies; and*

g) Demonstrates sustainable aspects of the development during construction and throughout the life of the development. Renewable energy provision is strongly encouraged.

- 7.5 Policy SCLP6.5: New Tourist Accommodation supports new tourist accommodation where:

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

- 7.6 By granting planning permission for the existing High Lodge Leisure development this location has been accepted as being suitable for the provision of tourist facilities, being well related to the principal road network and being outside the more sensitive parts of the District, such as the AONB. The principle issues to consider are whether the proposed expansion of the tourist facilities on site are of a scale appropriate to the nature of the site and its setting; do not have a material adverse impact on the landscape including the nearby AONB; or have adverse ecological impacts; will not result in volumes of traffic that would have a significant adverse impact on the free flow of traffic or highway safety; cause harm to residential amenity; are of a high standard of design; and adopt sustainable drainage, all of which are addressed further below.

- 7.7 The proposals will support the existing tourism offer locally and provide a year-round facility for visitors as encouraged in the various business plans and tourism strategies referred to above. The proposals are also considered to meet the objectives of policy SCLP4.5: Economic Development in Rural Areas which supports the growth and diversification of the rural economy particularly where it will secure employment locally.

Impact on Landscape and Character of The Area

- 7.8 Local Plan policy SCLP10.4: Landscape Character indicates proposals for development should be informed by, and sympathetic to, the special qualities and features as described in the Suffolk Coastal Landscape Character Assessment (2018), the Settlement Sensitivity Assessment (2018), or successor and updated landscape evidence. The submitted Landscape and Visual Impact Assessment does this and taking into account the site's surrounding landscape qualities concludes that impacts will be negligible once developed.

- 7.9 The Councils Arboricultural and Landscape Manager has been consulted on the proposals. As the site is for the most part very well visually contained, especially in respect of the areas proposed for the actual lodge development, it will have limited visual impact on the wider countryside and will not be seen from the designated AONB. The majority of existing trees are proposed for retention, and adequate clearance is proposed from the Ancient Woodland tree belt to the north of the site. The site already has an established leisure use and therefore its own landscape character is not wholly typical of the prevailing landscape character. The change from golf course to lodge park will change the character of the site itself but this will have negligible impact on wider landscape character, and similarly visual impacts will be very well contained by existing site boundary vegetation. The most visually apparent area will be the western end of the site adjacent to the A12. No lodges are proposed for this area and it is proposed for retention as open space and flood retention provision. Any new planting in this area should reflect and be sympathetic to the prevailing local landscape character. It is considered the indicative landscape masterplan is acceptable and should be the basis for any detailed landscape proposals which will be sought by condition in the event planning consent be granted. The scheme is in accordance with SCLP10.4.
- 7.10 The submitted tree survey and arboricultural impact assessment has been reviewed and considered acceptable. It includes a tree protection plan and method statement, the compliance of which would be controlled by planning conditions.

Transport and Highway safety issues

- 7.11 Policy SCLP7.1: Sustainable Transport indicates that development proposals should incorporate measures to encourage people to travel using non-car modes to access services and facilities. It confirms development will be supported where:
- a) Any significant impacts on the highways network are mitigated;
 - b) It is proportionate in scale to the existing transport network;
 - c) All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken;
 - d) It is located close to, and provides safe pedestrian and cycle access to services and facilities;
 - e) It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes and provision of covered, secure cycle parking;
 - f) It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;
 - g) It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety; and
 - h) The cumulative impact of new development will not create severe impacts on the existing transport network.
- The policy also indicates opportunities to improve provision of or access to public transport, in rural and urban areas will be supported.
- 7.12 A Transport Assessment (TA) and Interim Travel Plan have been submitted with the application. The TA indicates that the predicted increase in traffic would not have a material impact on the local road network and that the provision of a ghost island right

turn lane junction layout, whilst not required in capacity terms, will provide some safety benefits given the increase in right turning vehicles. The Highway Authority feel this is necessary and have sought a further safety audit of the layout, which the applicants are undertaking, and an update will be given at the meeting.

- 7.13 Addressing objections that traffic surveys were not undertaken during the summer months, (the applicants indicate this was due to the impact of Covid-19) a sensitivity test of traffic data from previous summer periods is being undertaken. Consideration is also being given to implications on Sizewell C traffic; however, as this has not yet been consented it could not form basis of a refusal of planning permission.
- 7.14 The Highway Authority have also recommended that the footway that exists alongside the A12 from Darsham be extended to the application site to improve links to public transport and the footway and cycle routes. As the submitted Interim Travel Plan (a full Travel Plan will be submitted prior to development opening to public) seeks to encourage the use of public transport for guests and staff and the footway would give access to the nearest bus stop, it is considered there would be merit in this, albeit the applicant has indicated that the cost of providing it would be prohibitive. The footpath would also encourage staff who live locally to walk to work and provide guests with links to nearby public footpaths. Further discussions are taking place on extending the footway and an update will be given at the meeting.

Impact on Residential Amenity

- 7.15 Local Plan policy SCLP11.2: Residential Amenity seeks to safeguard the quality of life of residents within the District by ensuring new development will not cause an unacceptable loss of amenity through, for instance, increased noise and disturbance, loss of outlook, light spillage, loss of privacy or affect air quality or other forms of pollution or safety and security.
- 7.16 A noise assessment has been undertaken by the applicants agent to consider the potential impacts on nearby residents, situated to the south in Hinton Lane and to the west on the A12. It is concluded that with the appropriate thermal glazing of the lodges and the position of the external play areas and acoustic screening of plant and equipment and the distance from nearby houses, the proposals would not cause undue noise disturbance that would be detrimental to residential amenity.
- 7.17 The visual impact of the development to neighbours will be limited given the existing tree and hedging on the site boundaries, and additional planting proposed. Given the position of the vehicular access relative to the A12, adverse impacts from an increase in traffic movements would not adversely impact on nearby residents in terms of increased noise and disturbance.

Ecological Impacts

- 7.18 Policy SCLP10.1: Biodiversity and Geodiversity seeks to conserve and enhance the natural environment. It requires proposals that will have a direct or indirect adverse impact (alone or in-combination with other plans or projects) on locally designated sites of biodiversity or geodiversity importance, including County Wildlife Sites, priority habitats and species, will not be supported unless it can be demonstrated with

comprehensive evidence that the benefits of the proposal, in its particular location, outweighs the biodiversity loss. It also requires new development to secure ecological enhancements as part of its design and implementation and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.

- 7.19 Ecological surveys undertaken at the site have identified that it provides habitats for a number of protected species, including at least five species of bat, a low population of grass snake, a low population of common lizard, as well as terrestrial habitat for a low population of great crested newts recorded in offsite ponds to the south. The Council's Ecologist confirms that the measures identified in the Preliminary Ecological Appraisal (PEA) (RPS, July 2020) and the Ecology Survey Report (RPS, August 2020) are adequate to mitigate any likely significant impacts on protected species, and should be secured by conditions in the event planning consent is granted. With regard to the bat survey, information gathered was limited due to equipment failure, it is however considered the site design (including retaining existing suitable habitats and the creation of new habitats) and other identified mitigation measures are considered adequate to maintain (and potentially enhance) the value of the site for bats.
- 7.20 The application site is bounded to the north by Big, Common and Haw Woods County Wildlife Site (CWS), this site is designated for its ancient woodland habitats and is a remnant of the ancient woodland which historically occupied the application site. The proposed development retains and buffers the CWS and therefore the Council's Ecologist considers there should be no direct impacts on the CWS as a result of this proposal.
- 7.21 As recognised in the ecological survey reports and the objection from the SWT, the proposed development has the potential to result in adverse biodiversity impacts (particularly on nocturnal species such as bats) arising from increased external lighting in what is currently a predominantly dark area. Therefore, a lighting strategy should be submitted as part of the application. The applicants have subsequently submitted such a strategy which is currently under review by the Council's Ecologist. Natural England and the SWT have also been consulted and updates will be reported.
- 7.22 The Information to inform a Habitats Regulations Assessment Report (RPS, August 2020) identifies the relevant European designated sites which need to be considered as part of the HRA. It also provides sufficient information to undertake the required screening and appropriate assessment stages of the assessment. The report identifies that a financial contribution to the Suffolk Coast RAMS is required to mitigate the increased in-combination recreational disturbance impacts that will arise as a result of the development. This contribution will be sought prior to permission being granted. The report does not identify the need for any additional mitigation measures, however given the scale of the proposed development and the size of the site it is considered some on-site provision of walking opportunities should be included in the layout, such as a perimeter path around the site, linking through the proposed area of open space at the western end. The applicant has now included this on the proposed layout.
- 7.23 Thus subject to the lighting strategy being acceptable; the receipt of the RAMS payment; and appropriate controlling conditions, it is considered the scheme will comply with Local plan policy SCLP10.1.

Design

- 7.24 Policy SCLP11.1: Design Quality supports locally distinctive and high-quality design that demonstrates an understanding of the key features of local character. The positioning of lodges and buildings are set within the existing tree belts retaining and enhancing existing landscaping and natural features on site where possible. They include small groups that surround an open space or small water feature. Photographs submitted of other Darwin parks across the country show high quality designs set within well landscaped surroundings. The lodges will be clad in a timber effect cladding with subtle colour choices to work with the trees and landscape. The facilities building has quite a large footprint but is broken down into individual elements incorporating separate asymmetrical pitched roofs to give the appearance of a collection of rural buildings. The single storey scale and choice of materials comprising brick, black boarding and metal cladding, respects the character of the area and the agricultural aesthetic. Parking is provided either alongside the lodges or in grouped parking areas. An average of two parking spaces per unit are proposed together with 53 spaces alongside the facilities building; 14 spaces alongside the maintenance building; and 20 spaces close to the gas compound and sewage pumping station.
- 7.25 The proposed design and layout is considered to be of a high quality and compliant with policy SCLP11.1.

Flood risk and surface water management

- 7.26 The submitted FRA confirms the site is within Flood Zone 1 at low risk of fluvial flooding and that there are no other significant risks of flooding. The Floods Authority have raised a holding objection because the drainage strategy fails to incorporate sustainable drainage principles as required by Local Plan policy SCLP9.6. The applicants are seeking to address this through their drainage consultants and an update will be reported at the meeting.

Other Matters

- 7.27 Following comments made by objectors relating to existing services and utilities, it is confirmed by the applicants agent that the applicants are investing significantly in the following:
- The installation of a new electricity supply;
 - New broadband;
 - New bore hole to enhance water supply;
 - A Foul Water Mains off site connection; and
 - Regarding comments made on the issue of water pressure the applicants state Anglian Water has confirmed that the water supply can be upgraded without detriment to the existing water pressure in the surrounding area.
- 7.28 It is not considered the proposals will have any adverse impact of the setting of nearby heritage assets. There is a listed building directly opposite the site on the A12 and one along Hinton Lane but, given their distance from the site and the intervening trees and hedging that exists, the proposals would not harm the significance of their setting.

- 7.29 The Phase 1 contaminated land report submitted in support of the application, has concluded a very low risk from contamination and therefore no further survey is required, however a condition is recommended to cover the eventuality undiscovered contamination is encountered.

8 Conclusion

- 8.1 Subject to the satisfactory resolution of matters raised by the Highway Authority and Floods Authority and the ecological matters it is considered the expansion of the existing holiday and leisure facility at the site should be supported, helping to diversify the Districts tourism accommodation and contributing to the rural economy and provision of jobs. These are significant public benefits accruing from the development proposal that will also include landscape and ecological enhancements. The proposals will accord with the Development Plan, representing a sustainable form of development.

9 Recommendation

- 9.1 **AUTHORITY TO DETERMINE** with **APPROVAL** being recommended on the satisfactory resolution of highway and drainage issues and ecological matters, including the payment of RAMS, subject to the conditions detailed below.

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 Drawings 1368/13 A0; 1368/9 A0; 1368/11 A1; 1815/HL-014; 1815/HL-010; 1815/HL-015; 1815/HL-019; 1815/HL-016; 1815/HL-011; 1815/HL-018; Transport Assessment; Interim Travel Plan; Flood Risk Assessment and Surface Water Management; Foul Water Drainage Strategy; Arboricultural Survey; Phase 1 Geo-Environmental Site Assessment; Noise Assessment; Landscape and Visual Impact Assessment; Landscaping Masterplan; Preliminary Ecological Appraisal; Ecology Survey Report; Habitats Regulations Assessment (Informative Report); Biodiversity Net Gain Assessment; Supporting Economic Statement, for which permission is hereby granted or 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. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. The lodges and tree houses hereby consent shall only be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

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

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

5. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

6. Those trees and hedges to be retained shall be protected during the course of development in accordance with the tree protection plan and method statement within the Tree Survey and Arboricultural Impact Assessment.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

7. Within three month(s) of commencement of development, satisfactory precise details of a tree and/or hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority. This shall include details of proposed bunds.

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

8. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five 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.

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (RPS, July 2020); the Ecology Survey Report (RPS, August 2020) and the Information to inform a Habitats Regulations Assessment Report (RPS, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

11. 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 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.

12. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

13. The development shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

14. No development shall commence until a detailed Construction Management Plan has been submitted to, and approved by, the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties, and shall set out hours of construction/activity on site and delivery hours and routes 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 during the construction phase of the development.

15. The agreed noise levels, and/or noise mitigation work, should be validated prior to first occupation. A validation report should therefore 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 surveying and/or monitoring carried out to demonstrate that the measures in the approved noise report have been implemented and any agreed noise levels achieved.

Reason: In the interests of residential amenity.

16. 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.

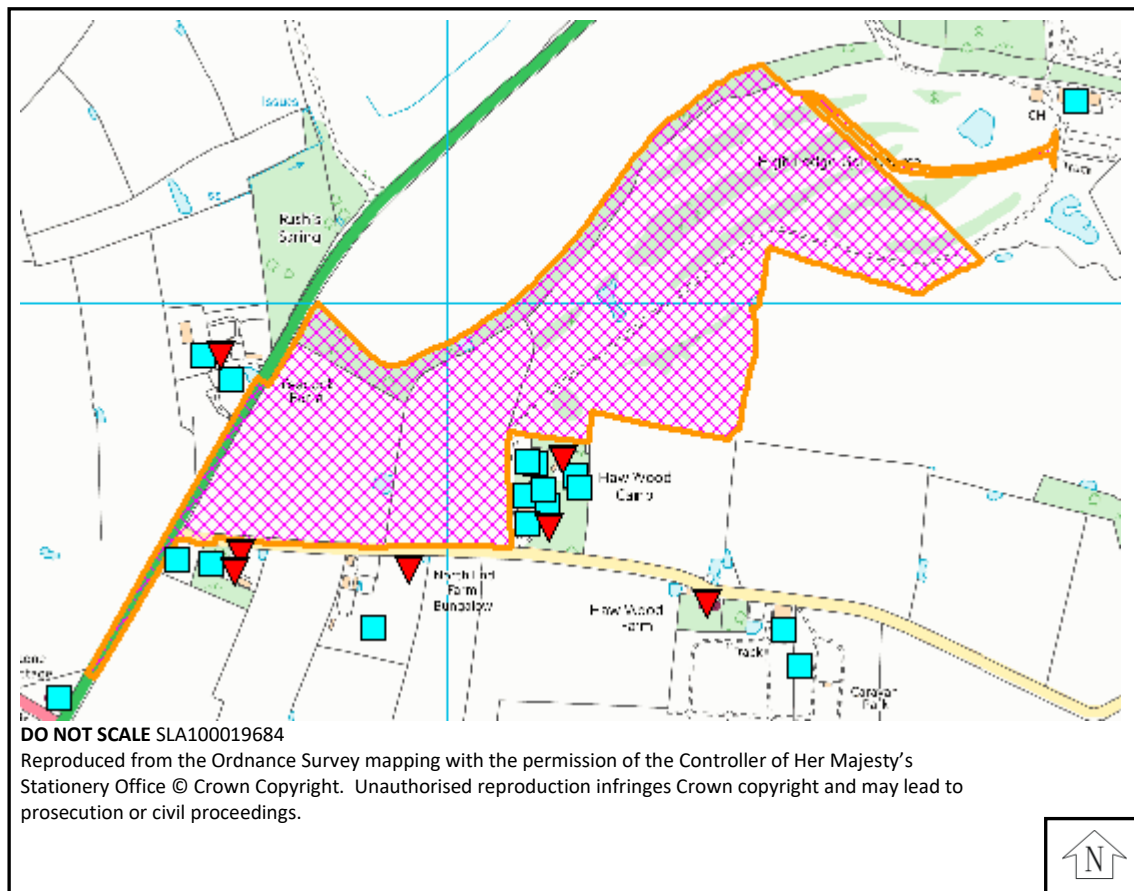
17. Conditions relating to surface water drainage as recommended by the Floods Authority following the consideration of further information to be submitted.
18. Conditions recommended by the Highway Authority following consideration of further information to be submitted.
19. The use shall not commence until the areas within the site shown on the approved plans for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the areas shall be retained and used for no other purpose.

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





Background Papers

See application reference DC/20/3142/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
 Objection
 Representation
 Support

Committee Report

Planning Committee North – 12 January 2021

Application no DC/20/0653/FUL

Location

Post Office
51 London Road North
Lowestoft
Suffolk
NR32 1AA

Expiry date 9 April 2020 (Extended to 15 January 2021)

Application type Full Application

Applicant East Suffolk Council

Parish Lowestoft

Proposal Demolition of existing shed buildings and 3/4 storey brick building to rear of Post Office, including adjoining structures to rear of Post Office. Repair & adaptation to the ground floor of the Post Office building including a new extension to the west and re-fenestration at ground floor level. Erection of flats and houses comprising 9 dwellings, with associated landscaping works.

Case Officer Joe Blackmore, Principal Planner (Development Management)
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Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 The application seeks planning permission for the re-development of the Post Office site. The application is made by East Suffolk Council, on council-owned land, therefore the application has been brought direct to Planning Committee (North) for determination.
- 1.2 Lowestoft is, unfortunately, an example of a town centre in decline with vacancy rates approximately double the national average. In recent years East Suffolk Council has taken a more proactive approach to regeneration and economic development through a number of projects including: the Lowestoft Town Investment Plan; Town Centre Master Plan; Heritage Action Zones (north and south); and The Making Waves Together Project. The aims of these

projects are translated into the Local Plan policy objectives, and reflective broadly of the NPPF and central government policy on enhancing the vitality and viability of town centres.

- 1.3 The ground floor of the Post Office returning to a commercial use is a highly significant public benefit and will play an important role in enhancing the vitality and viability of the high street. The new housing development to the rear brings its own public benefits in the form of nine affordable homes, and residents will spend in the local economy, supporting shops and services. The proposal would also utilise a suitable brownfield site for housing, which the NPPF directs should be given substantial weight in the balance. The high-quality contemporary design of the new housing responds to feedback from consultees and officers, and is considered to be a positive in terms of regeneration.
- 1.4 The loss of two non-designated heritage assets to the rear is unfortunate, and that resultant harm to the significance of the Listed Building and Conservation Area will need to be given great weight in the balance. However, there are positive elements of demolition that will remove harmful structures/buildings and better reveal the significance of the Post Office in the Conservation Area. The works of extension and alteration will cause no harm to the significance of the Listed Building, and all form part of a proposal to create a ground floor space that can be quickly brought back into a commercial use. The applicant's long-term implementation plan sets out a whole-building-approach, with this proposal representing a critical first phase of that restoration.
- 1.5 This proposal delivers significant public benefits in the form of (inter alia) affordable housing; bringing a Listed Building back into a viable use; and regeneration of an important town centre site, and the planning balance strongly indicates in favour of the scheme that accords with the Local Plan and NPPF as a sustainable form of development.

2. Site description

- 2.1 The application site is located to the west side of London Road North, and to the south side of Surrey Street, within the South Lowestoft Conservation Area. The Old Post Office is a Grade II Listed Building dating from the 19th Century - three storeys in height and constructed of buff brick with stone facing, fronting onto London Road North. It has been vacant for approximately four years. There is a side access to the site, from Surrey Street. London Road North is a pedestrianised high street. At the point of site access from Surrey Street, this transitions from a highway to pedestrianised street where it then joins London Road North.
- 2.2 To the rear of the main (front) Post Office building are a number of ancillary structures and buildings comprising: The Sorting Office and the Three-Storey Building (which are both constructed of gault white brick); a glass roofed rear lean-to extension; a covered way attached to the three storey element; and the concrete framed/corrugated cement roofed structure to the rear.
- 2.3 The site has the following planning history:
 - DC/81/1000/FUL - renewal of canopy to loading bay - permitted.
 - DC/90/0647/FUL - disabled persons ramp access - permitted.

- DC/09/0328/LBC - replace 2no. existing projecting illuminated lozenge with 1no. new projecting sign. Carry out various internal decoration works including replacement flooring, posters and queuing system - permitted.
- DC/12/0027/FUL - replace defective sorting hall roof with new felt covering and general repairs and improvements - permitted.
- DC/14/0799/FUL & DC/14/0800/LBC - removal of external stamp vending machine and formation of two internal rooms - permitted.

2.4 The site is located within the Lowestoft town settlement boundary and falls within Environment Agency flood zone 2.

2.5 Although not a formal planning designation, the site falls within the South Lowestoft Heritage Action Zone (HAZ) which is a heritage-led regeneration project led by Historic England in partnership with ESC.

3. Proposal

3.1 The proposed development relates to both the Post Office building and its associated land to the rear. Additional works to the Post Office building are detailed within the tandem Listed Building Consent (LBC) application (ref. DC/20/1783/LBC), but the elements covered by this planning application are detailed below. The original scheme has been subject of considerable revision, culminating in amended plans/drawings submitted for formal consultation on 27 November 2020.

3.2 Works to the Post Office building:

- A single storey rear extension to the Post Office.
- Alterations to the frontage – replacement windows and doors.

3.3 Development to the rear:

- Demolition of all (unlisted) adjoining structures and buildings to the rear of the Post Office.
- Development of nine affordable homes comprising a block of four (2-bedroom) flats; and five (3-bedroom) townhouses.
- Associated hard and soft landscaping works.

3.4 The proposal centres around bringing the Post Office back into a commercial use. In conjunction with the tandem LBC application, the scheme would create a 'white box' space at ground floor so that it is ready for a commercial operator. The works include repairs and upgrades to the ground floor area, and then the works to the frontage outlined above. The single storey extension would combine with the existing floorspace to create a commercial unit of some 225 square metres.

3.5 In response to comments from Historic England, the applicant has provided a long-term implementation plan to demonstrate the phased approach to bringing the whole building back into a commercial use, with the ground floor proposals subject of this application the first phase of that whole-building-approach.

3.6 The development to the rear involves demolishing all the non-listed structures and buildings to facilitate the development of an apartment block and five townhouses. The Design and

Access Statement submitted shows the various iterations tested at pre-planning stage, with the final layout positioning the townhouses in a staggered form, on a broadly east-west orientation, and the apartment block on the northern frontage onto Surrey Street. Access to the site would be via Surrey Street into a hard-landscaped courtyard area with 5no. parking spaces provided (to serve the townhouses). Secure storage for 18no. cycles would be provided, and bin storage areas located within the lower ground floors of the buildings. Due to flood risk, the floor levels of the accommodation are 1.2 metres above ground level. An area adjacent the access is designated for bin presentation on collection day. A separate pedestrian access from Surrey Street would run past the apartment block and provide commercial access to the Post Office.

- 3.7 In terms of the new buildings, the proposed apartment block is a four-and-a-half-storey brick building. It is a contemporary design approach, but utilising buff/gault brick to relate to the historic buildings adjacent. This element of the scheme has been subject of detailed positive discussion with officers and Historic England, in order to refine the design of this key new build element.
- 3.8 The flat roof form has been amended to a Zinc covered pitched roof. The proposed staircase windows use perforated brick to cover the openings to add interest and to minimise light overspill from these areas. The bay windows increase in size as they go up the building. The ground floor is proposed to utilise rusticated brickwork to add further interest and to better relate it to the ground floor forward projecting extension of the neighbouring building. A stepped-back section of the front wall has been designed to break up the massing of the façade and improve the relationship of the apartment block to Surrey Street.
- 3.9 The townhouses are three-and-a-half storeys in height, again constructed of brick but with dual-pitched roofs. The entrance hallways would be accessed off raised podiums via external stairs, with void space at lower ground level; this is to raise floor levels in the interest of flood risk mitigation.

4. Consultations/comments

Response to Original Scheme and First Round of Consultation

- 4.1 Five letters of Objection from local residents have been received that raise the following key material planning considerations (inter alia):
- Heritage statement is inaccurate.
 - Support the objections raised by Suffolk Preservation Society and Mr Ivan Bunn.
 - Proposal is incompatible with the objectives of the Heritage Action Zone.
 - Will cause harm to the listed building adjacent the new development.
 - Will detract from the character and heritage of the conservation area.
 - The housing will have limited outlook, light, and only small gardens – poor amenity standards.
 - Cramped form of development.
 - Already too many small flats in central Lowestoft.
 - Demolition of buildings contributes to carbon footprint and renovation would be more sustainable.
 - Proposal is over development of the site.

- The proposal is not in the best interests of the future of the Post Office building.

- 4.2 Suffolk Preservation Society has submitted a letter of Objection to the proposals on heritage grounds, raising concerns over the new build elements within the conservation area and setting of the listed Post Office.

Response to Amended Scheme and Second Round of Consultation

- 4.3 No further third-party representations have been received.

5. Consultees

Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	19 February 2020	11 March 2020
<p>Summary of comments:</p> <p><i>The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 10 March 2020. It was agreed to recommend approval of the application as the development provided additional housing within a location which could help to populate the town centre. This recommendation is supported by the emerging Lowestoft Neighbourhood Development Plan and Policy WLP8.19 of the Waveney Local Plan which look to support the vitality and viability of the town centre. Public comments regarding the adequacy of on-site parking places were noted, along with the comments from the Highways Authority, however it was agreed there was suitable alternative car parking in the area and alternative transport methods could also be considered.</i></p> <p>Planning Officer Note: See final LTC comments received 18 December 2020.</p>		

Consultee	Date consulted	Date reply received
Lowestoft Town Council	20 May 2020	10 June 2020
<p>Summary of comments:</p> <p><i>The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 9 June 2020. It was agreed to recommend refusal of the application due to the lack of sufficient information to fully consider the merits of the application given the heritage of the building. In particular, the Town Council are keen to see the issues and safeguards (in relation to the facade, windows and lack of work to the first floor) as outlined in Historic England's consultation response addressed and, therefore, the requirements of the NPPF being met.</i></p> <p>Planning Officer Note: See final LTC comments received 18 December 2020.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Historic England	20 May 2020	24 March 2020
Summary of comments: Object to the application on heritage grounds. Planning Officer Note: comments updated by final response dated 15 December 2020		

Consultee	Date consulted	Date reply received
Historic England	18 March 2020	18 March 2020
Summary of comments: Object to the application on heritage grounds. Planning Officer Note: comments updated by final response dated 15 December 2020		

Consultee	Date consulted	Date reply received
National Amenity Societies	18 March 2020	8 April 2020
Summary of comments: Council for British Archaeology object to the application on heritage grounds.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	18 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Historic England	20 May 2020	9 June 2020
Summary of comments: See final comments dated 15 December 2020.		

Consultee	Date consulted	Date reply received
National Amenity Societies	20 May 2020	19 June 2020

Summary of comments: Council for British Archaeology object to the application on heritage grounds.
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Consultee	Date consulted	Date reply received
Environment Agency - Drainage	20 May 2020	No response

Summary of comments: No comments received.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	20 May 2020	4 June 2020

Summary of comments: Object due to the lack of parking provision.
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Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 February 2020	5 March 2020

Summary of comments: Refuse - insufficient parking provided.

Non statutory consultees

Consultee	Date consulted	Date reply received
Lowestoft Civic Society	20 May 2020	23 March 2020

Summary of comments: Raise concerns with the proposal and request further information on the heritage impact of the development.

Consultee	Date consulted	Date reply received
Ecology (Internal)	20 May 2020	30 March 2020

Summary of comments: No objections. Conditions recommended.
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Consultee	Date consulted	Date reply received
Lowestoft Civic Society	20 May 2020	No response

Summary of comments:

No further comments received.

Consultee	Date consulted	Date reply received
Ecology (Internal)	20 May 2020	No response
Summary of comments: See comments received 30 March 2020.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	20 May 2020	No response
Summary of comments: Internal planning consultee; see report for design and heritage considerations.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	20 May 2020	No response
Summary of comments: See comments received 10 March 2020.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	20 May 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	20 May 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	19 February 2020	16 March 2020
Summary of comments: Internal planning consultee; see report for design and heritage considerations.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	19 February 2020	10 March 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	19 February 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	19 February 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Council Economic Development and Regeneration		29 June 2020
<p>Summary of comments:</p> <p><i>"The restoration and regeneration of Lowestoft Post Office is a key anchor project to kick-start and drive forward regeneration within Lowestoft Town Centre. The project will revitalise and repurpose a focal, vacant redundant building within the main shopping area of London Road North, bringing significant benefits to the wider Town Centre, increasing footfall through the commercial offer at the front and providing affordable residential housing to the rear.</i></p> <p><i>The Post Office is highlighted within the emerging Lowestoft Town Centre Masterplan, which underlines the importance of its restoration as a heritage asset but also as a driver for the overall regeneration of the site. The restoration and regeneration of the site is also a key, strategic project within the newly confirmed Lowestoft South High Street Heritage Action Zone (HSHAZ). The HSHAZ aims to regenerate the high street, using the conservation of heritage buildings as a key driver for change. The programme seeks to bring the community closer to heritage and in turn finding new and creative uses for our changing high streets. The HSHAZ Programme is a national scheme being led by Historic England and funded by central government (DCMS). This scheme provides both external funding and conservation expertise to the town centre, providing grant funding for heritage buildings, which include a significant grant for the Post Office restoration. The Post Office restoration is seen as a key driver for change within the town centre, which sends a strong message to other property owners within the area to invest/ uplift in their buildings and will be seen an</i></p>		

example of how East Suffolk Council is leading by example to regenerate the town centre.”

Re-consultation consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	30 November 2020	18 December 2020
<p>Summary of comments:</p> <p><i>“The Town Council’s Planning and Environment Committee considered this application at a meeting on 15 December 2020. It was agreed to recommend REFUSAL of the application as presented.</i></p> <p><i>The Planning Authority should consider the comments submitted by Historic England (on 15 December) and local historian, Mr I Bunn, and seek to correct factual errors within the Heritage Impact Assessment before this application is considered further. The Town Council does not support the design of the new extension and would wish to secure a higher level of design for this heritage building which is within the London Road, Lowestoft High Street Heritage Action Zone.”</i></p>		

Consultee	Date consulted	Date reply received
Historic England	30 November 2020	15 December 2020
<p><i>“Historic England Advice</i></p> <p><i>Historic England have given advice in our previous comments relating to the demolition of the non designated gault brick building to the rear of the old post office. We have been consistent in our view that this building makes a positive contribution to the character of the conservation area, and due to the architectural links between it and the main post office, we consider there to of been a strong date link between the two buildings. It is highly likely that documents relating to this building are present in the postal museum archives. We consider that the gault brick building is able to be retained and reused in line with our previous comments, but it is for the local planning authority to carry out an assessment of the planning balance as defined in paragraph 196 of the NPPF.</i></p> <p><i>Should your local authority be convinced of the planning balance in favour of demolition of the existing gault brick building, we would offer the following comments in relation to the proposed scheme.</i></p> <p><i>The scheme proposes a brick building turning its longer elevation towards the road and gable ends towards the post office and the neighbouring residential buildings. The staircase windows use perforated brick to cover the openings to add interest and to minimise light overspill from these areas. The bay windows increase in size as they go up the building and are a modern take on the traditional bay windows found elsewhere within Lowestoft. The ground floor is proposed to utilise rusticated brickwork to add further interest and to better relate it to the ground floor forward projecting extension of the neighbouring building. This gives the proposal a horizontal emphasis drawing the eye along, rather than up the structure.</i></p>		

The proposed scheme would have less of a blocky appearance than the previous design and due to the pitched roof, it would be less dominant at higher levels. The contrasting colours and detailing in the brickwork would add interest to the elevations but these would need to be considered carefully so as not to become dominating or confusing in themselves. Close attention should be paid to materials, in particular the bricks and the pointing as this would be key to the success of the elevations and therefore to the success of the overall scheme.

We would suggest that conditions are considered relating to samples of external materials, large scale detail of fenestration and a recording condition for the gault brick building and the interior details which results in the record being submitted to the Suffolk HER.

Recommendation

Historic England has concerns regarding the applications on heritage grounds. We consider that the gault brick building is able to be retained and reused and that sufficient justification on heritage grounds, for its demolition has not been provided. We have suggested some amendments and conditions for the submitted schemes should your local authority be minded to approve these applications.”

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	30 November 2020	04 December 2020
Summary of comments: Object due to the lack of parking provision.		

Consultee	Date consulted	Date reply received
Environment Agency	30 November 2020	17 December 2020
Summary of comments: No objections. Advice given on how to consider flood risk.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	19 February 2020	10 March 2020
Summary of comments: Conditions recommended for ground contamination and construction method statement. Noise assessment required prior to determination.		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	27 March 2020	21 April 2020	Lowestoft Journal

Category Conservation Area	Published 27 March 2020	Expiry 21 April 2020	Publication Beccles and Bungay Journal
Category Conservation Area	Published 28 February 2020	Expiry 20 March 2020	Publication Lowestoft Journal
Category Conservation Area	Published 28 February 2020	Expiry 20 March 2020	Publication Beccles and Bungay Journal

7. Site notices

General Site Notice	Reason for site notice: Conservation Area; Listed Building Date posted: 20 March 2020 Expiry date: 14 April 2020
General Site Notice	Reason for site notice: Conservation Area; Affects Setting of Listed Building Date posted: 25 February 2020 Expiry date: 17 March 2020

8. Planning policy

National Planning Policy Framework (2019) (NPPF)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.18 – New Town Centre Development (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.19 – Vitality and Viability of Town Centres (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.21 – Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.32 – Housing Density and Design (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.33 – Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.34 – Bio Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.38 – Non Designated Heritage Assets (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan (March 2019)

9. Planning considerations

Policy Background

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 9.2 The development plan comprises the East Suffolk Council - Waveney Local Plan (“The Local Plan”) and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of Development

- 9.3 The application site is located within Lowestoft Town Centre as defined the Local Plan. Local Plan spatial strategy policies WLP1.1 and WLP1.2 set out, broadly, that new development should generally be directed to within the defined settlement boundaries, with the majority of development over the plan period allocated to Lowestoft as the largest town in the District. The principle of residential development, in that context, is entirely supported by the Local Plan.

Vitality and Viability of Lowestoft Town Centre

- 9.4 Across the UK there is a national trend of town centre decline. In 2019, the Ministry for Housing, Communities and Local Government (MHCLG) published its report ‘High Streets and Town Centres in 2030’, with a key conclusion being that *“High streets and town centres need urgently to adapt, transform and find a new focus in order to survive”* (paragraph 17). Part of that adaptation and transformation, is for high streets and town centres to look beyond the typical model of predominantly retail – and that a variety of uses must combine with housing to create a sense of place, rather than areas based on just financial transactions.

- 9.5 Lowestoft is unfortunately an example of a town centre in decline with vacancy rates approximately double the national average. In Lowestoft town centre property values are comparatively low when considered alongside other towns. In recent years, the town has seen the loss of additional retailers including Beales Department Store, Claire's Accessories, Body Shop, Coes, Kerry's etc. and this reflects the decline seen both empirically in terms of the high vacancy rates, but also anecdotally from a walk along the High Street in the context of the application site. In recent years East Suffolk Council has taken a more proactive approach to regeneration and economic development through a number of projects including: the Lowestoft Town Investment Plan; Town Centre Master Plan; Heritage Action Zones (north and south); and The Making Waves Together Project. The aims of these projects are translated into the Local Plan policy objectives, and reflective broadly of the NPPF and central government policy on enhancing the vitality and viability of town centres.
- 9.6 Local Plan policies WLP8.18 and WLP8.19 work together and seek to enhance the vitality and viability of town centres. A key part of that is to clearly define the town centre boundary and the shopping areas within those centres. The policy approach of WLP8.18 is to ensure that retail, leisure, offices, tourism, cultural and community uses are directed to the town centre, wherever possible, and that out-of-town developments for such uses are exceptional, and properly justified. WLP8.19 focuses on the primary and secondary shopping frontages, setting out a strategy to protect ground floor premises to ensure they remain in retail or café and restaurant uses.
- 9.7 Chapter 7 of the NPPF is concerned with ensuring the vitality of town centres, and sets out that Local Planning Authorities should (inter alia):
- “define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters” (paragraph 85a)
 - “recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.” (paragraph 85f)
 - “Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.” (paragraph 87)
- 9.8 The Post Office building is within a policy-defined primary shopping frontage and has been vacant for almost four years. The Post Office is an important building on the High Street and its current, vacant appearance detracts from the character and vitality of the area. A key element of the proposed re-development is to refurbish the ground floor of the Post Office building and create a ‘white box’ space that can quickly be brought back into commercial use by an operator. A commercial space that is ready-to-go is said, by the applicant, to be an important part of securing a commercial tenant because prevalent independent retailers do not have the capital expenditure budget required to fit out the space for use.

- 9.9 Whilst there are detailed elements of the physical works involved to the listed building (to be considered later in this report and in the tandem LBC application) the principle of creating a commercially attractive ground floor space for an operator is a highly significant benefit of the proposals. Bringing ground floor commercial premises in the high street and primary shopping frontages back into use is a clear objective of both local and national planning policy, and the potential positive impact of this focal point building returning to a commercial use cannot be underestimated, in terms of enhancement of the vitality of the area. This weighs heavily in favour of the scheme.
- 9.10 In planning terms, applying the policy considerations above, the refurbishment of the ground floor of the Post Office building is a positive. Whilst the whole building is important, it is clear from the ground-floor-focus of policy WLP8.19 that commercial uses of ground floor premises are a critical part of the high street and primary shopping frontages.
- 9.11 It then turns to whether the ground floor proposals would represent a piecemeal approach that prejudices a viable future use for the upper floors. The ground floor has historically been in a commercial, public-facing use and therefore that returning can only be supported. The main issue is whether the ground floor use, and proposed internal layout, would compromise access to the upper floors. In this instance, the proposal retains the existing stairwell/fire escape to the north-western side of the ground floor, and access could be achieved to that from Surrey Street via a walkway past the new apartment building. There is nothing inherent in the ground floor proposals that would prejudice future uses of the upper floors. In any case, works that impact the fabric of the listed Post Office building will need Listed Building Consent, and potentially new uses of the upper floors may need Planning Permission also, ensuring that the Local Planning Authority will be able to control that when more detailed proposals for the upper floors come forward.
- 9.12 In response to comments from Historic England, the applicant has sought to positively address the whole building with a long-term (phased) implementation plan, which sets out the following key points (amongst other things):

“The masterplan sets out the vision for the longer-term plans however based on the evidence of the market viability report by Aspinall Verdi there is an need to carry out the repurposing of the Post Offices in phases. The first phase will carry out works that will prevent further deterioration and restore the properties features, with a focus on the frontage and key internal features. We will look to work with conservation officers and Historic England to ensure the opportunities are maximised to restore the front building. A key part of the first phase will upgrade the ground floor of the building to provide an immediate meanwhile space. The building will be used to promote the work of the South HS HAZ as well as the wider ESC regeneration programme. As the space will be safe to use it provides the opportunity for us to provide a range for short term pop up uses: workshop space, pop in exhibition space, promotion space. We will use this phase to look at more permanent meanwhile uses such a pop-up uses such as pop-up cafes or work space. As part of our Town Investment Plan work we have engaged the services of a creative sector consultant who is providing an analysis of the creative sector in and around Lowestoft to establish what the demand is for creative work space in Lowestoft. We are aware of a number of vacant buildings within the town centre and that these cannot all be set all up as “creative workshop spaces”. Therefore this piece of analysis will identify the demand and establish which of ESC owned empty buildings may provide the greatest opportunity. The Post Office will be one of those spaces considered. This feasibility work may provide the evidence for a

more permanent meanwhile space for the post office for the creative sector. For town centre revitalisation it is key for us to show that this building is open and being used in order to keep momentum for the other businesses around it.

The second phase of the project will carry out further feasibility works for the upper floor to investigate in more detail potential uses and works required to enable those uses. The second phase will carry out works, similar to those in the first phase, to enable the upper floor to have meanwhile use. The second phase will conclude with having identified and implemented a permanent solution to both the ground and upper floors.”

- 9.13 Historic England support the ethos of the Implementation Plan, addressing a key part of their initial concerns with the proposals. The applicant has clearly demonstrated a positive intent for the whole Post Office Building, and this application represents an important first step to bringing the entire building back into a long-term, viable use.
- 9.14 Moving on to development to the rear of the Post Office building, the key element of the proposals is the erection of nine dwellings. Part of the policy background to town centres – particularly in the NPPF as referenced earlier in this section – is for planning decisions and policies to facilitate a diverse mix of uses in these locations, including housing. This can be seen in the Government’s approach to permitted development rights which has seen many offices convert to residential uses in urban locations. The creation of nine dwellings in this location is a positive for the vitality of the area. The regeneration itself may be perceived locally as making the area more attractive, but more significantly, residents of the new dwellings will contribute to high street footfall and likely spend at local shops and services. Whilst there are detailed matters to consider regarding the housing element of the proposal, the principle of residential development on the site is supported as a highly significant contribution to the vitality and viability of the high street in accordance with the Local Plan and NPPF.

Affordable Housing and Housing Mix

- 9.15 Recent data suggests that there are some 3,970 people on the Housing Register for East Suffolk. Of those registered, some 869 people claim a local connection to Lowestoft and of those, 330 applicants are in Housing Need. Of those 330 applicants, the size of property they require is as follows:
- 1 bedroom – 163
 - 2 bedroom – 102
 - 3 bedroom – 40
 - 4 bedroom – 21
 - 5 bedroom – 4
- 9.16 The proposal is for nine dwellings, of which all would be affordable homes. The proposed housing mix is tabled below:

Dwelling Type	No. of Bedrooms	Tenure	Number of Dwellings
Flats/apartments	2-bed	Affordable housing	4 No.
Houses	3-bed	Affordable housing	5 No.
			TOTAL = 9 No.

- 9.17 As the site is owned by East Suffolk Council, it will be Council housing stock. In any case, a S106 legal agreement will be required to secure the accommodation as affordable housing in perpetuity, and a planning condition is recommended to secure that S106 legal agreement prior to the commencement of any development. The precise tenure would need to be agreed through the S106 in consultation with the Housing Team so as to reflect the identified local need.
- 9.18 The proposed development relates to an area where there is a very high need for affordable housing, and the contribution of nine affordable homes to help meet that need is a public benefit that should be given great weight in the balance. The provision of affordable housing, and mix of property type and size, meets the objectives of Local Plan policies WLP8.1 and WLP8.2.

Heritage Considerations and Design of Development

- 9.19 A main issue to consider is the heritage impact of the development, and this has been of particular interest to third parties and consultees including Historic England. It should be noted, in the first instance, that this report relates to this application for planning permission, but that it should be read alongside the report covering the tandem Listed Building Consent application (ref. DC/20/1783/LBC) in order to fully appraise all heritage matters relevant to this re-development proposal.
- 9.20 The whole site falls within the South Lowestoft Conservation Area, and the Post Office building is listed as Grade II. During consideration of this application, Historic England conducted a listing review of the Post Office site. On the advice of Historic England, the Secretary of State for Digital, Culture, Media and Sport (DCMS) decided to amend the entry for the Former Post Office on the List of Buildings of Special Architectural or Historic Interest. The main (front) Post Office building remains listed at Grade II. However, all structures/buildings to the rear are specifically excluded and therefore not listed. The extent of listing is also clarified in the updated map published alongside the list description.
- 9.21 Further to the formal amendment to the list entry it was confirmed by Historic England's Senior Listing Adviser (East) that:
- "the Local Authority may consider the rear additions to the Post Office to be in the curtilage but if they are specifically excluded from the listing using ERRAs (which they are) then they cannot be curtilage listed."*
- 9.22 The South Lowestoft Conservation Area and the Grade II Listed Post Office building are designated heritage assets. The starting point for heritage considerations is the statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act").
- 9.23 For Conservation Areas, the statutory duty under s.72 of The Act is to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.24 For listed buildings, s.66 of The Act imposes a duty to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or

historic interest which they possess. The duty is engaged when the local planning authority is considering whether to approve development which affects a listed building or its setting.

- 9.25 These statutory duties are reflected in national and local planning policy. The NPPF identifies conservation and enhancement of the historic environment as an important element of sustainable development. Paragraph 184 of the NPPF makes clear that heritage assets are *“an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”*
- 9.26 Paragraph 189 says that when determining planning applications, *“local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 9.27 NPPF paragraph 192 sets out that, *“in determining planning applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.”*
- 9.28 The NPPF at paragraphs 193 and 194 requires planning authorities to place ‘great weight’ on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be. It also recognises that significance can be harmed by development within the setting of an asset. It is also clear that *“any harm or loss should require clear and convincing justification.”*
- 9.29 The NPPF at paragraph 195 sets out that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or four other criteria are satisfied (which relate to the absence of reasonable or viable uses of the asset).
- 9.30 NPPF paragraph 196 sets out that:
- “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 9.31 In the case of non-designated heritage assets (NDHAs), paragraph 197 of the NPPF says that the effect of a proposed development on their significance should be taken into account, and that where a development would affect a non-designated heritage asset either directly or non-directly, *“a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*

- 9.32 The NPPF at Paragraph 200 highlights the opportunity for local planning authorities to look for new development within the setting of heritage assets that will enhance or better reveal their significance. Proposals that therefore preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 9.33 The statutory duties of The Act, and heritage objectives of the NPPF, are also reflected in the Historic Environment section of the Local Plan – policies WLP8.37 (Historic Environment); WLP8.38 (Non-Designated Heritage Assets); and WLP8.39 (Conservation Areas).
- 9.34 Members should understand that, in determining the applications, properly applying the relevant paragraphs of the NPPF and the historic environment policies of the Local Plan means that the statutory duties of The Act will have been complied with in respect of designated heritage assets.
- 9.35 Although not listed (or curtilage listed) the two (connected) structures to the rear of the building - the sorting office and the three storey building - are still of historic significance to due to their related use and the fact that they demonstrate the evolution of the Post Office Service over time and the contribution they make to the street scape.
- 9.36 The ancillary buildings appear to have always been used for their original use in the day-to-day operation of the post office and, altogether, they had a functional relationship with the Listed building as a group. The historic significance of these structures varies. The rear architecturally utilitarian compared to that of the public facing facade and decorative main banking hall. These buildings provided the back-room function of the post office until 1970 and give an understanding of how the site functioned as a whole. The sorting office and the three-storey building are of some historic significance. They are examples of ancillary buildings to a main Post Office and represent the development/expansion of the service over 50 years (circa 1880 – 1930).
- 9.37 The sorting office and the three-storey building are constructed in quality white gault bricks externally with hardwearing and sanitary glazed bricks to the internal surfaces. They have a utilitarian character which reflects the era in which they were built, and the investment made to create long lasting, solid structures.
- 9.38 Officers have considered whether the sorting office and the three-storey building are ‘Non-Designated Heritage Assets’ (NDHAs) against the criteria set out in the Local plan and the buildings meet the following three:

Architectural interest

- Integrity - the building or structure will retain a degree of intactness and lack of harmful external alteration and, if part of a group, will make a contribution to the surviving completeness of that group.
- Group value - the buildings or structures will have a coherent design or historic functional relationship as a group.

Historic interest

- Rarity - the building or structure must represent a design, use or other quality that was always uncommon or has now become uncommon or exceptional to the locality, district or wider region.

- 9.39 As two or more of the criteria have been met, these buildings are deemed to be NDHAs, and the impact of the development will therefore also need to be considered in the context of NPPF paragraph 197 and Local Plan WLP8.38.
- 9.40 Historic England initially objected to the proposal on a number of grounds, although the submission of further information and dialogue between the applicant, officers, and Historic England, has managed to address many of those concerns.
- 9.41 In terms of the main Post Office building, there are series of works proposed that would directly impact it (and therefore also subject of the tandem Listed Building Consent application).
- 9.42 There is then the setting of the Grade II Listed Post Office building, which the development to the rear is clearly an integral part of. As identified, two of the buildings to the rear are NDHAs and these buildings – along with the whole site – form part of the designated heritage asset that is the South Lowestoft Conservation Area (SLCA).
- 9.43 The significance of the sorting office and the three-storey buildings as NDHAs is identified earlier in this report, and it is clear from Historic England’s response to the application that they have consistently objected to the demolition and replacement of these buildings. However, in conducting the listing review in April of this year, Historic England’s assessment of the whole site, to inform that amended list entry, sets out that:

“Whilst the rear extensions demonstrate the process flow of the work of the Post Office, they have not survived in a form that readily demonstrates their function. The sorting office has been partitioned and any fixtures or fittings relating to its former use removed. The three-storey gault brick building, the most notable out of the rear extensions, has been similarly gutted internally, with only the staircase remaining. Its former use has not been discovered and there are no surviving internal fixtures or fittings to indicate its purpose. The covered yard and shed at the westernmost end of the site are both of standard form and construction, devoid of any architectural interest.”

- 9.44 On that basis, Historic England directed that all rear additions to the Post Office building should be excluded from the listing, which is very noteworthy. However, it is acknowledged that, for the reasons given earlier in this report, the three-storey building, and connected sorting office, have some historic significance and are therefore NDHAs.
- 9.45 Local Plan policy WLP8.38 relates to NDHAs and sets out that:

“Proposals for the re-use of buildings which are on the Local List of Non-Designated Heritage Assets or otherwise identified as a non-designated heritage asset 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 substantial harm to a building or its setting will not be permitted unless all other options for the building have been exhausted.

Proposals which involve the demolition or part demolition of a building which is on the Local List of Non-Designated Heritage Assets or otherwise identified as a non-designated heritage asset will only be permitted where there are comprehensive and detailed plans for redevelopment of the site and where:

- *The building is structurally unsound and beyond feasible and viable repair (for reasons other than deliberate damage or neglect); or*
- *All measures to sustain the existing use or find an alternative use/user have been exhausted.”*

- 9.46 In line with WLP8.38, NPPF Paragraph 197 requires 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 the current application that directly affects two non-designated heritage assets, the Planning Committee will need to arrive at a balanced judgment having regard to the scale of any harm or loss and the significance of the asset. The two NDHA buildings are not of very great significance – they are not designated heritage assets. However, they meet three of the Council’s ten criteria for identification as NDHAs and are clearly of some local importance. It is officer’s judgment that their demolition would be a high level of harm but, taking into account the relatively low level of significance of these buildings, that harm should only be given moderate weight in the final planning balance, purely in terms of the loss of NDHAs. However, these buildings do contribute somewhat to the significance of the Listed Building (Post Office) and also the SLCA. They are examples of ancillary buildings to a main Post Office and represent the development/expansion of the service over 50 years (circa 1880 – 1930). That loss will result in some harm to the significance of these designated heritage assets; that level of harm is considered to be low-to-moderate (and ‘less than substantial’ in NPPF terms). On that basis, the test at NPPF paragraph 196 is duly engaged, and that harm identified will need to be given great weight in the balance and properly weighed against the public benefits of the proposal.
- 9.47 There is also further demolition proposed to the rear of the Post Office building. However, this is considered to be a positive. Removing the glass roofed rear lean-to extension to the rear of the Listed Building, the covered way attached to the three-storey element, and the concrete framed/corrugated cement roofed structure to the rear would represent an enhancement to the character of the Listed Post Office, as these elements are unsightly in the setting of the building and their removal will better reveal the significance of the Listed Building. This would all benefit the character and appearance of the conservation area. These positive elements of demolition will need to be considered in the balance, alongside the harmful elements of demolition.
- 9.48 Historic England have expressed concerns over the design of the development to the rear, and they would like to see the three-storey building retained and converted. The applicant has provided further information on this and why that is not feasible. It is understood that initial investigations including intrusive surveys and the preparation of a detailed specification of remedial works were carried out at the project outset to assess the possibility of retaining the three-storey building. Notwithstanding the reportedly poor condition of the internal floors, the design team explored the potential retention of this building as it was identified that the form and internal finishes could make for high quality accommodation.
- 9.49 However, the applicant advises that the position of the building on the site and its east/west orientation compromised the potential layout options for supporting new build units on the site. The Architects tested a number of layouts (as shown in the Design and Access Statement) but with access and overlooking constraints taken into consideration it was not possible to fit houses onto the site with the building retained. Options for extending the building to increase the potential number of flats on the site were reportedly discounted as

this high-density mix was not supported by local housing demand, nor did they match the Council's regeneration priorities for the site.

- 9.50 The applicant has also advised that the existing floor plans of the three-storey building dictated a limited number of units, likely to comprise one 1-bed flat and one 2-bed maisonette over supporting ancillary accommodation at ground floor, due to the flood risk to the site. The high-level repair cost plan produced identified that the cost of replacing the internal floors would outweigh the potential return on these low unit numbers. The applicant has also advised that building suffers from subsidence with the steel supports for the internal floors corroded. The picture painted regarding the state of the building, internally, does not conflict with Historic England's listing review conclusions that the three-storey building has been "gutted internally".
- 9.51 In addition to this information, the applicant has provided a Budget Estimate of the proposed structural repairs which indicates a very high cost to make the building a serviceable and sound structure. Accordingly, it is officer's professional opinion that there is not likely a feasible or viable re-use of the three-storey building, and thus the proposal to demolish and replace as part of a comprehensive development scheme is supported by policy WLP8.38.
- 9.52 Given that the second NDHA, the sorting room, is connected to the three-storey building, it also seems very unlikely that this could feasibly be retained/converted. In any case, its loss would need to be weighed up as part of the overall planning balance.
- 9.53 The works of demolition, alone, would clearly represent harm to the significance of the Listed Building and the Conservation Area because buildings that demonstrate the historic function of the Post Office would be lost, and also those buildings that positively contribute to the character and appearance of the Conservation Area would also be lost. However, the proposal is a comprehensive re-development and in making a balanced judgment regarding the demolition of NDHAs in the conservation area, the design quality of the replacement development is very important, because the statutory test under s.72 of The Act is that development should preserve or enhance the character and appearance of the conservation area. Then in terms of the setting of the Listed Building, the s.66 duty is to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.
- 9.54 The proposed development is considered to represent high quality design. It is a contemporary proposal that will add a point of contrast in the streetscene – particularly the Surrey Street Frontage which is currently quite unattractive and detracts from the character and appearance of the conservation area. The apartment block design is a bold contemporary form but takes its fenestration cues from the historic buildings adjacent. The window proportions and detailing break up the massing of this building. The townhouses are again a contemporary iteration of a local form – drawing on precedent of townhouses in London Road South and Kirkley Cliff Road. Whilst being a point of contrast to the surroundings in terms of contemporary form, the use of gault/buff brick will ensure a degree of relatability with the local context.
- 9.55 Historic England (HE) initially objected to the design of development to the rear of the Post Office, citing concerns over the scale of the new buildings in terms of their heights relative to the Post Office and adjacent Natwest building. This element of the scheme has been

subject of considerable revision and discussion with HE. Whilst continuing to object to the loss of the NDHA buildings, HE has advised further on the amended design of the apartment building:

“Should your local authority be convinced of the planning balance in favour of demolition of the existing gault brick building, we would offer the following comments in relation to the proposed scheme.

The scheme proposes a brick building turning its longer elevation towards the road and gable ends towards the post office and the neighbouring residential buildings. The staircase windows use perforated brick to cover the openings to add interest and to minimise light overspill from these areas. The bay windows increase in size as they go up the building and are a modern take on the traditional bay windows found elsewhere within Lowestoft. The ground floor is proposed to utilise rusticated brickwork to add further interest and to better relate it to the ground floor forward projecting extension of the neighbouring building. This gives the proposal a horizontal emphasis drawing the eye along, rather than up the structure.

The proposed scheme would have less of a blocky appearance than the previous design and due to the pitched roof, it would be less dominant at higher levels. The contrasting colours and detailing in the brickwork would add interest to the elevations but these would need to be considered carefully so as not to become dominating or confusing in themselves. Close attention should be paid to materials, in particular the bricks and the pointing as this would be key to the success of the elevations and therefore to the success of the overall scheme.”

- 9.56 Officers consider that the entire area to the rear of the Post Office is covered by structures and buildings (some of which are three storeys in height). The proposal would ‘free up’ more space to the rear of the site by aggregating accommodation into denser, taller blocks. One could reasonably make the argument that the greater sense of space to the rear of the Post Office building will better reveal its significance within the Conservation Area.
- 9.57 The contemporary apartment block will create positive street enclosure and active frontage to Surrey Street and is a good design approach in urban context, and it is seen by the enclosing presence of the Natwest building adjacent. It is noted that the new building would be much taller, but it is not clear that this would represent harmful enclosure to the street, particularly when it is a much more attractive design than the frontage of the building it would replace.
- 9.58 HE also has concerns with the three-storey pitched roof townhouses, which are said to give a ‘warehouse feel’ to the proposed row and form an obvious enclosure to the boundary of the site. In the first instance, it is not clear how an obvious boundary enclosure represents harm to the significance of the Conservation Area or adjacent listed buildings. Delineation of boundaries via built form is a typical and many-times replicated feature in urban locations; officers do not consider this to be harmful or out-of-character. The ‘warehouse feel’ is not necessarily agreed with as officers consider the design of the townhouses to be high-quality contemporary buildings well-related to their context. In any case, there is a historic pattern of commercial/industrial structures and buildings to the rear of the Post Office, so even if one were to say the buildings have that utilitarian ‘warehouse’ appearance, that could arguably be an appropriate design approach to draw on that historic form to the rear.

- 9.59 The main concern from HE relates to the loss of the NDHA buildings and then the scale of the replacement development. As set out above, officers accept the loss of the NDHA buildings because it is not viable to retain and convert them. In their final consultation response, HE rightly acknowledges that the demolition of these buildings is a matter that the Local Planning Authority needs to weigh in the balance. In terms of scale, there is a well-established precedent for three-storey development to the rear of the Post Office (the gault brick building and the rear wing of the listed building). Officers do not consider it harmful to have large buildings to the rear of the Post Office. This is an urban context where a mix of building size and type is common and expected. The proposal will also remove many unsightly and harmful structures/buildings, and the replacement buildings are of a high-quality design.
- 9.60 There is also the proposed extension to the rear of the Post Office which is single storey in form – originally shown to be a flat roof behind a pitched roof section – but amended to be a flat roof form. HE note that the demolition of the existing single storey pitched roof element would be an enhancement. HE has, in their final comments, expressed reservations about the parapet detailing of the proposed rear extension. In the view of officers, the proposed extension will cause no harm to the significance of the listed Post Office. It has a simple roof form and will be a significant improvement over the existing rear element. One's view of the rear extension will primarily be from the housing development and also the external area to the rear of the extension. In those views (and from the Conservation Area) the appearance will be of a simple flat-roofed extension, sitting comfortably with the listed building in the conservation area.
- 9.61 The proposal includes the replacement of aluminium windows in the front elevation with plate glass metal frame units reflecting the sash pattern above. The existing ramp and plinth are to remain as existing. The clear requirements of The Act and NPPF is for development to not cause harm to the significance of designated heritage assets. The proposal is window replacements that would preserve the significance of the Listed Building and its contribution to the Conservation Area in accordance with the statutory duties of s.66 and s.72 of The Act, along with the heritage objectives of the NPPF and Local Plan. The precise detail of the replacements would need to be covered by planning condition.
- 9.62 The existing timber door is to be retained, and the existing door openings are to be replaced with plate glass fixed units (aluminium framed). A new fire door and upper glazed transom section to the Street is also proposed. Conditions will be required to deal with the detail but, in principle, these works will cause no harm to the Listed Building or Conservation Area.

Conclusion on Design and Heritage Matters

- 9.63 There are clearly a number of issues to consider in respect of heritage and design which will need to be carefully weighed up in the final planning balance.
- 9.64 In the first instance, the loss of two NDHAs is unfortunate but is justified when they cannot realistically be retained/converted into a viable use. The loss of these NDHAs would cause a low-to-moderate level of harm to the significance of the grade II listed Post Office and the character and appearance of the conservation area. A balanced judgment will need to be made with regard to the loss of the NDHAs; and the harm to designated heritage assets will need to be given great weight and duly weighed against the public benefits of the proposal in accordance with NPPF paragraph 196.

- 9.65 The works of demolition includes positive removal of unsightly structures/buildings that detract from the significance of the Post Office and conservation area. The well-designed housing development will relate well to these designated heritage assets and better reveal the significance of the Post Office.
- 9.66 The works to the frontage of the Post Office will cause no harm, thereby preserving the significance of the Listed Building and its contribution to the conservation area.
- 9.67 The extension to the rear will replace a poor-quality extension and cause no further harm to the significance of the Post Office, and internally it will make the ground floor space more viable and attractive to a commercial tenant.
- 9.68 The design of development is considered by officers to be very good and meet the requirements of design policies WLP8.29 (Design), WLP8.32 (Housing Density and Design), and WLP8.33 (Residential Gardens and Urban Infilling).

Residential Amenity

- 9.69 Policy WLP8.29 (Design) seeks, amongst other things, to protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers.
- 9.70 Because the rear land of the Post Office has always been covered by large buildings and structures, there would not likely be materially significant amenity impact on neighbouring land uses arising from this scheme. It is noteworthy that no close neighbouring properties/tenants/residents have commented on the proposals.
- 9.71 The main consideration relates to the amenity of future occupiers of the development, given the constrained nature of the site in this urban location. It is accepted that the garden areas to the new townhouses are very small, but for a high street location, any outside space is considered to be a positive. A small garden is a trade-off of urban living that many would likely make, when so much is on the doorstep. The apartments would not have formal gardens, although the hard-landscaped courtyard could offer some limited ability to socialise outdoors with other residents. In any event, formal outside space would not be required for flats/apartments in an urban location.
- 9.72 The 2-bedroom flats/apartments would each have a spacious floor plan and good access to daylight/sunlight.
- 9.73 The Design and Access Statement explains the design rationale for the staggered plan form of the town houses, with plots 1 and 2 set farther back to allow west light into the courtyard area, and also reduce overlooking between the apartment block and the townhouses. That separation between the apartment block and plots 1 and 2 is considered acceptable in the context of a dense urban layout.
- 9.74 It is accepted that the dense layout means privacy levels for future occupiers would not be of the standard seen on a rural housing development. However, the design of the proposal has clearly been carefully thought through to maximise light levels to each home and ensure the best levels of privacy possible in the context. The provision of some outdoor space is

welcomed. The proposal is considered to provide an acceptable standard of amenity for future occupiers in accordance with the objectives of WLP8.29 (Design).

Highways Safety and Sustainable Transport

- 9.75 Local Plan policy WLP8.21 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. NPPF paragraph 109 gives clear guidance that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

- 9.76 The site is located within the town centre, on the high street, and therefore in walking distance of shops and services to meet everyday needs. Public transport in the form of bus and rail is readily accessible. The development will provide secure cycle storage for 18 cycles (2 per residential unit), which will encourage the use of that transport mode. Five parking spaces would be provided for the five townhouses; no vehicle parking would be provided for the four flats.
- 9.77 The County Highways Authority has objected to the application on the grounds that there is a lack of parking provision; they would expect a minimum of nine spaces to be provided (1 per residential unit).
- 9.78 Whilst the concerns of the Highways Authority are noted, this is about as sustainable a location as can be found in East Suffolk. It is not unreasonable to assume residents moving to these properties would perhaps not own private vehicles, or not require one given all day-to-day needs can be met via other modes of transportation. In the vicinity of the application site parking is controlled, so the development proposal would not likely lead to unsafe parking on the highway. Officers consider that the proposal strikes the right balance between providing some vehicle parking, a good provision of secure cycle storage, and relying on the sustainable location of the site and good pedestrian and public transport links. The site access from Surrey Street already exists and, in any case, Surrey Street terminates just after the access – and becomes pedestrianised where it joins the High Street – so vehicle speeds in this location will be very low. Access to-and-from the site will be safe for all users.
- 9.79 Accordingly, there is no reason to refuse permission on highways grounds, and the proposal accords with the sustainable transport objectives of WLP8.21.

Flood Risk and Surface Water Drainage

- 9.80 The site is located within Environment Agency (EA) Flood Zone 2 – this is a medium probability flood zone that comprises land assessed as having between a 1in100 and 1in1000 annual probability of fluvial flooding in any year. The Strategic Flood Risk Assessment for the Local Plan identifies that, with climate change accounted for, the site falls within Flood Zone 3 – high probability flood zone that comprises land assessed as having a 1 in 100 or greater annual probability of river flooding in any year.

9.81 Local Plan policy WLP8.24 relates to flood risk and sets out, amongst other things, that:

“Development proposals should consider flooding from all sources and take in to account climate change. Proposals at risk of flooding (taking in to account impacts from climate change) should only be granted planning permission if it can be demonstrated that:

- There are no available sites suitable for the proposed use in areas with a lower probability of flooding;*
- The development provides sustainability benefits which outweigh flood risk; and*
- A site specific flood risk assessment has been submitted which demonstrates that the flood risk can be satisfactorily mitigated over the lifetime of the development. This should address as a minimum: finished floor levels; safe access and egress; an emergency flood plan; flood resilience/resistance measures; any increase in built or surfaced area; and any impact on flooding elsewhere including on the natural environment.*

New residential development on sites not allocated in this Local Plan or a Neighbourhood Plan will not be permitted on sites at risk from flooding.”

9.82 As the proposal is for residential development in EA flood zone 2, the EA has been consulted and have raised no objections. The application is also supported by a site-specific Flood Risk Assessment (FRA), and a Sequential Assessment Report.

9.83 The NPPF seeks to mitigate the risk of flooding by restricting vulnerable new development (such as housing) within areas at risk from flooding. It does this by requiring development proposals in areas at risk from flooding to be subject to a sequential test where it has to be proven there are no suitable areas of land with a lesser risk of flooding and an exception test which identifies sustainability benefits of development and ensures the development is safe for its lifetime. The applicant’s sequential assessment report evidences that there are no suitable alternative sites. Given that the proposal is a comprehensive re-development of the Post Office site (including bringing the ground floor back into commercial use) it is clear the site is unique and there would not be a similar alternative at lower flood risk. The exception test provided by the applicant details the wider sustainability benefits of the scheme including the affordable housing provision and role the scheme will play in enhancing the vitality and viability of the town centre/high street.

9.84 The key point from the exception test is whether the development can be safe for its lifetime, and the proposal has been designed with that goal in mind. The FRA highlights that finished floor levels to the ground floors of the residential dwellings will be elevated to remain above flood risk levels (accounting for climate change). An Emergency Flood Plan is also detailed within the FRA to ensure safe refuge and evacuation in the event of severe storm. The FRA is comprehensive and details how the design of development will be safe for its lifetime.

9.85 Drawing on a previous matter, many interested parties wish to see the buildings to the rear retained and converted into residential use. However, it is by no means clear that a scheme to retain and convert existing buildings on site could be so resilient to flood risk, and therefore the new buildings specifically designed to be safe for the lifetime of the development is a good approach to dealing with the flood risk at this site.

- 9.86 The FRA also details strategies for surface water drainage and foul drainage that would be acceptable.
- 9.87 The suite of technical documents and evidence provided indicate that the proposal is acceptable in accordance with the objectives of WLP8.24 and the NPPF.

Ecology and Habitats Regulations Assessment

- 9.88 The application is supported by a Preliminary Ecological Appraisal and the Council's ecologist is satisfied with the conclusions of the consultant. Should planning permission be granted, the mitigation and enhancement measures identified in that appraisal should be secured by planning condition.
- 9.89 The Habitats Regulations Assessments (HRAs) of the Suffolk Coastal District Council Core Strategy and Development Management Policies Development Plan Document (2011 and 2013) and the Waveney District Council Local Plan (2019) identified that increased levels of residential development would have a Likely Significant Effect (LSE) on Habitats sites (European designated sites) on the Suffolk coast. The LSE is predicted to arise from increased levels of recreational use resulting from residents of new development. This would be an in-combination effect as a result of the total amount of new housing growth in the district.
- 9.90 Following the findings of the Local Plan HRAs and under direction from Natural England, the Local Planning Authorities with residential growth in areas which are likely to impact on Suffolk coast Habitats sites have worked collaboratively to prepare and implement a mitigation strategy to address the identified LSE and prevent cumulative new development resulting in an adverse effect on the integrity of the designated sites. The LPAs involved are East Suffolk Council (formerly Suffolk Coastal District Council and Waveney District Council); Babergh and Mid Suffolk District Councils and Ipswich Borough Council. This strategy is currently referred to as the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy or "Suffolk Coast RAMS". The strategy identifies that new residential development within 13km of the Habitats sites identified in the Technical Report will contribute to in-combination recreational disturbance impacts. This area is referred to as the Zone of Influence (ZOI).
- 9.91 Officers have carried out a stage 2 Appropriate Assessment under the Conservation of Habitats and Species Regulations (2017) and conclude that, subject to a per-dwelling financial contribution to fund Suffolk Coast RAMS being secured, the proposed development will not have an adverse effect on the integrity of the European sites within the 13km ZOI, from recreational disturbance, when considered 'in combination' with other development. Any recommendation to grant permission/consent is subject to that RAMS contribution being secured before decision.

Other Matters

- 9.92 The submitted ground investigation report identifies limited ground contamination and therefore standard conditions are recommended by the Environmental Health Officer to deal with this prior to the development being occupied.

- 9.93 The Environmental Health Officer has recommended a Noise Assessment be secured prior to determination. Officers are of the view that this is unnecessary, with no neighbouring land uses or activity likely to present significant sources of noise and/or disturbance to future residents.

10. Conclusion

- 10.1 The proposal raises a number of matters to consider and weigh up in the balance.
- 10.2 Lowestoft is unfortunately an example of a town centre in decline with vacancy rates approximately double the national average. In Lowestoft town centre property values are comparatively low when considered alongside other towns. In recent years East Suffolk Council has taken a more proactive approach to regeneration and economic development through a number of projects including: the Lowestoft Town Investment Plan; Town Centre Master Plan; Heritage Action Zones (north and south); and The Making Waves Together Project. The aims of these projects are translated into the Local Plan policy objectives, and reflective broadly of the NPPF and central government policy on enhancing the vitality and viability of town centres. The ground floor of the Post Office returning to a commercial use is a highly significant public benefit and will play an important role in enhancing the vitality and viability of the high street. The new housing development to the rear brings its own public benefits in the form of nine affordable homes, and residents will spend in the local economy, supporting shops and services. The proposal would also utilise a suitable brownfield site for housing, which the NPPF directs should be given substantial weight in the balance. The high-quality contemporary design of the new housing only adds to the benefits of the proposal in terms of regeneration.
- 10.3 The loss of two non-designated heritage assets to the rear is unfortunate, and that resultant harm to the significance of the Listed Building and Conservation Area will need to be given great weight in the balance. However, there are positive elements of demolition that will remove harmful structures/buildings and better reveal the significance of the Post Office in the Conservation Area. The works of extension and alteration will cause no harm to the significance of the Listed Building, and all form part of a proposal to create a ground floor space that can be brought back into a commercial use. The applicant's long-term implementation plan sets out a whole-building-approach, with this proposal representing a critical first stage of that regeneration process.
- 10.4 Considering all of the issues, with regard to all material considerations raised during the consultation period and giving great weight to designated heritage asset harm where it would arise, the planning balance clearly indicates in favour of the proposal. The public benefits that would accrue are highly significant and collectively far outweigh any harm. The proposal is considered to represent a sustainable development in accordance with the Local Plan and NPPF. Planning permission should therefore be granted.

11. Recommendation

- 11.1 **AUTHORITY TO APPROVE**, subject to securing the per-dwelling contribution to fund the Suffolk (Coast) RAMS, and with planning conditions including but not limited to those summarised below:

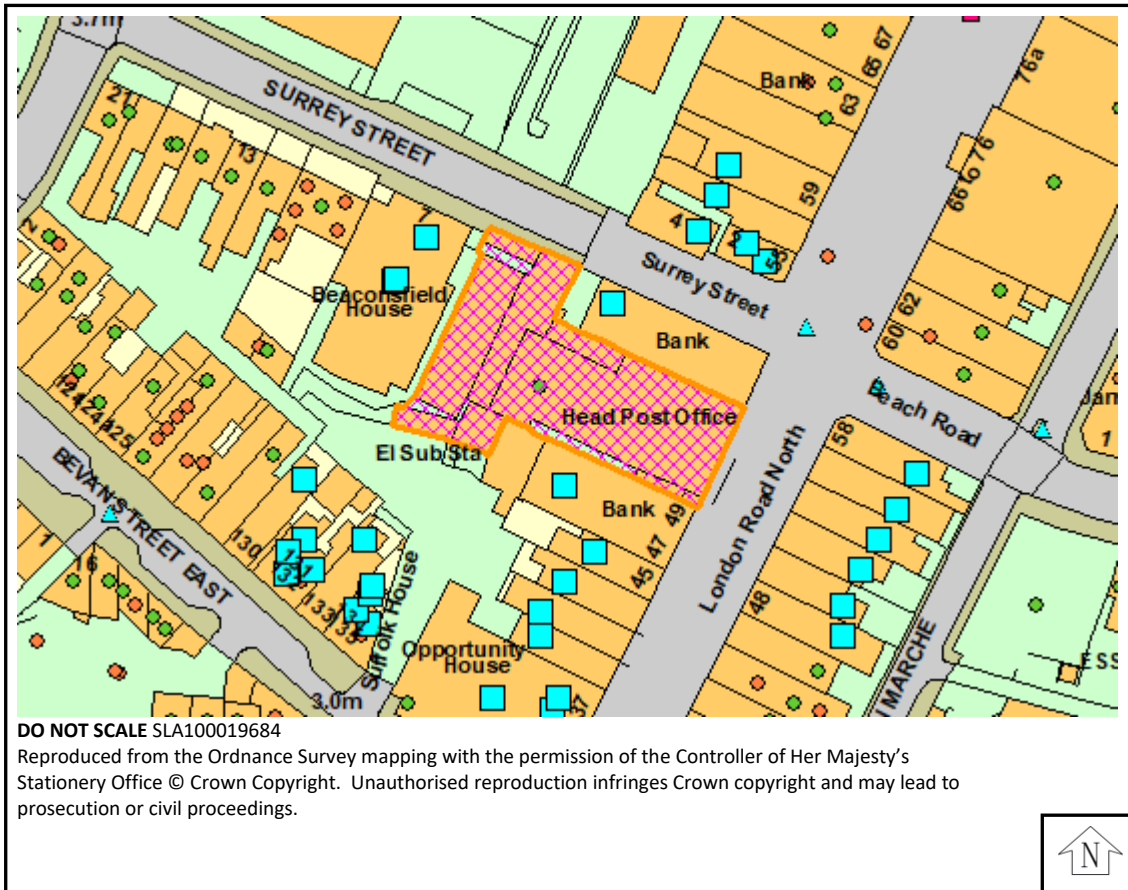
- Three-year time limit

- Standard plans compliance condition
- Mechanism to deliver Affordable Housing provision (S106 agreement) to be secured pre-commencement of development
- New building external facing materials to be agreed pre-commencement
- Hard landscaping strategy to be agreed pre-commencement
- Precise details of frontage window and door works to be agreed pre-commencement
- Precise detailing and finishes of the extension to be agreed pre-commencement
- Standard model conditions for ground contamination investigation and remediation
- Highways condition – parking/manoeuvring areas to be provided pre-occupation
- Highways condition – bin storage area to be provided and maintained
- Ecology – conditions to secure enhancement and mitigation measure from the approved Preliminary Ecological Appraisal





Background papers

See application reference DC/20/0653/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q5U6YLQX06O00>

Map



Key

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

Committee Report

Planning Committee North – 12 January 2021

Application no DC/20/1783/LBC

Location

Lowestoft Post Office
51 London Road North
Lowestoft
NR32 1AA

Expiry date 8 July 2020 (Extension of time to 15 January 2021)

Application type Listed Building Consent

Applicant East Suffolk Council

Parish Lowestoft

Proposal Listed Building Consent - Repair & adaptation to the ground floor of the Post Office building including a new extension to the west, new roof to ground floor extension and re-fenestration at ground floor level.

Case Officer Joe Blackmore, Principal Planner (Development Management)
01394 444733

Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 The application seeks listed building consent for works to the Grade II Listed Lowestoft Post Office. The application is made by East Suffolk Council, on council-owned land, therefore the application has been brought direct to Planning Committee for determination.
- 1.2 The proposal will enable an important ground floor space of a Grade II Listed Building to be brought back into a viable use within the High Street and South Lowestoft Conservation Area. In conjunction with the tandem planning application (DC/20/0653/FUL), the proposal will deliver on a number of key regeneration and town centre enhancement objectives.
- 1.3 Officers consider that the detailed works to the Listed Building will facilitate bringing it back into a viable use, which is an important conservation and public benefit of the works. Harm to the significance of the Listed Building would be limited and outweighed by the benefits arising. Officers therefore positively support the proposals and recommend that listed building consent be granted.

2. Site description

- 2.1 The application site is located to the west side of London Road North, and to the south side of Surrey Street, within the South Lowestoft Conservation Area. The Old Post Office is a Grade II Listed Building dating from the 19th Century - three storeys in height and constructed of buff brick with stone facing, fronting onto London Road North. It has been vacant for approximately four years. There is a side access to the site, from Surrey Street. London Road North is a pedestrianised high street. At the point of site access from Surrey Street, this transitions from a highway to pedestrianised street where it then joins London Road North.
- 2.2 To the rear of the main (front) Post Office building are a number of ancillary structures and buildings comprising: The Sorting Office and the Three-Storey Building (which are both constructed of gault white brick); a glass roofed rear lean-to extension; a covered way attached to the three storey element; and the concrete framed/corrugated cement roofed structure to the rear.
- 2.3 Although not a formal planning designation, the site falls within the South Lowestoft Heritage Action Zone (HAZ) which is a heritage-led regeneration project led by Historic England in partnership with ESC.

3. Proposal

- 3.1 This application looks to create a commercial unit letting space to the ground floor of the listed building, which involves internal alterations; a rear extension; and replacement of windows and doors to the front fenestration of the openings to the front elevation.
- 3.2 During the extended determination period, there has been considerable engagement between the applicant, planning officers, and Historic England. The applicant has sought to work positively with officers and amend their development proposals to address feedback from Historic England.
- 3.3 In terms of this Listed Building Consent application, the amended proposals include:
 - Programme of cleaning the entire façade stonework (methodology to be agreed by condition).
 - The windows on the ground floor will be replaced with plate glass fixed units (metal framed) in a window pattern that reflects the upper floor sash window arrangement.
 - The roof form of the rear extension has been amended from a lean-to roof, to a flat roof (in order to retain internally the cornice in the main front space and the supervisor's booth overlooking the sorting office)

4. Consultations/comments

- 4.1 Two letters of Objection from local residents raising the following key concerns (inter alia):
 - Heritage statement is inaccurate.
 - Support the objections raised by Suffolk Preservation Society and Mr Ivan Bunn.

- Proposal is incompatible with the objectives of the Heritage Action Zone.
- Will cause harm to the listed building adjacent the new development.
- Will detract from the character and heritage of the conservation area.
- The housing will have limited outlook, light, and only small gardens - poor amenity standards.
- Cramped form of development.
- Already too many small flats in central Lowestoft.
- Demolition of buildings contributes to carbon footprint and renovation would be more sustainable.
- Proposal is over development of the site.
- The proposal is not in the best interests of the future of the Post Office building.

4.2 In response to the amended plans/details, received 27 November 2020, there have been no further third-party representations received in respect of this LBC application.

5. Consultees

Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	19 May 2020	10 June 2020
<p>Summary of comments:</p> <p><i>"The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 9 June 2020. It was agreed to recommend REFUSAL of the application due to the lack of sufficient information to fully consider the merits of the application given the heritage of the building. In particular, the Town Council are keen to see the issues and safeguards (in relation to the facade, windows and lack of work to the first floor) as outlined in Historic England's consultation response addressed and, therefore, the requirements of the NPPF being met."</i></p> <p>Planning Officer Note: See final LTC comments received 18 December 2020.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Historic England	20 May 2020	9 June 2020
<p>Summary of comments:</p> <p>Object to the application on heritage grounds.</p> <p>Planning Officer Note: comments updated by final response dated 15 December 2020</p>		
Consultee	Date consulted	Date reply received
National Amenity Societies	20 May 2020	19 June 2020

Summary of comments:
 Council for British Archaeology:
 Broadly supportive of the adaptive reuse of the old Lowestoft Post Office site.
 However, consider the Heritage Statement submitted to be inadequate, and believe the proposals should relate to the whole of the Listed Building, rather than just ground floor.

Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	20 May 2020	11 June 2020
Summary of comments: Raise concerns with the proposal, concurring with the views of Historic England.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	19 May 2020	18 June 2020
Summary of comments: Internal planning consultee. See officer report for planning analysis.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Historic England		14 August 2020
Summary of comments: Object to the application on heritage grounds. Planning Officer Note: comments updated by final response dated 15 December 2020		

Consultee	Date consulted	Date reply received
Lowestoft Town Council	30 November 2020	18 December 2020
Summary of comments: <i>"The Town Council's Planning and Environment Committee considered this application at a meeting on 15 December 2020. It was agreed to recommend REFUSAL of the application as presented.</i> <i>The Planning Authority should consider the comments submitted by Historic England (on 15 December) and local historian, Mr I Bunn, and seek to correct factual errors within the Heritage Impact Assessment before this application is considered further. The Town Council does not support the design of the new extension and would wish to secure a higher level of design for this heritage building which is within the London Road, Lowestoft High Street Heritage Action Zone."</i>		

Consultee	Date consulted	Date reply received
Historic England	30 November 2020	15 December 2020
<p>Summary of comments:</p> <p><i>“Some revisions to the scheme have been made and some remain a cause of concern. Plan LBC-203 indicates the design of the extension to the rear of the old post office has now become flat roofed. This is in line with our previous comments to your local authority however, the parapet detailing is weak and is out of proportion with the rest of the built form. This could be improved by making more of a feature of the parapet.</i></p> <p><i>The method of cleaning the front façade and precise details of fenestration (including fire doors), details of repair to the oriel window and brick bond as well as a sample panel showing pointing and mortar to be used, should also form the subject of a listed building condition. A specification of works for the restoration of the interior cornice in the former banking hall should also be provided by condition.</i></p> <p><i>The Implementation plan indicates some remediation works to the upper floor will take place to prevent deterioration. A full schedule and specification of works should be provided to state what these works are and how they will be carried out.”</i></p> <p>Recommendation</p> <p><i>Historic England has concerns regarding the applications on heritage grounds. We consider that the gault brick building is able to be retained and reused and that sufficient justification on heritage grounds, for its demolition has not been provided. We have suggested some amendments and conditions for the submitted schemes should your local authority be minded to approve these applications.”</i></p>		
Consultee	Date consulted	Date reply received
National Amenity Societies	20 May 2020	19 June 2020
<p>Summary of comments:</p> <p>Council for British Archaeology:</p> <p>The CBA support the proposed ‘making good’ of the ground floor, including the conservation of key features relating to the building’s significance, in order to achieve an active frontage to the building as well as a flexible function on the ground floor. The internal and external works will contribute well towards Lowestoft’s HS HAZ work. We believe the rationale behind the phased approach to conserving and reusing the whole of the principal building is justified by the iterative use of the building in finding the best end use as part of the HAZ.</p> <p>The CBA recommend that any excavation at the rear of the site presents a place shaping opportunity for public participation, which could further feed into the Heritage Action Zone work.</p>		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area; Listed Building	5 June 2020	26 June 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area; Listed Building	5 June 2020	26 June 2020	Lowestoft Journal

7. Planning policy

National Planning Policy Framework 2019 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.18 - New Town Centre Use Development (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.19 - Vitality and Viability of Town Centres (East Suffolk Council - Waveney Local Plan (March 2019))

8. Planning considerations

The Role of the Listed Building in the High Street

- 8.1 The Post Office building is within a Local Plan policy-defined primary shopping frontage and has been vacant for almost four years. The Post Office is an important building on the High Street and its current, vacant appearance detracts from the character and vitality of the area. The driver of the proposed development is to refurbish the ground floor of the Post Office building and create a 'white box' space that can quickly be brought back into commercial use by an operator. A commercial space that is ready-to-go is said, by the applicant, to be an important part of securing a commercial tenant because prevalent independent retailers do not have the capital expenditure budget required to fit out the space for use.
- 8.2 Whilst there are detailed elements of the physical works involved to the listed building (to be considered later in this report) the principle of creating a commercially attractive ground floor space for an operator is a highly significant benefit of the proposals. Bringing ground floor commercial premises in the high street and primary shopping frontages back into use is a clear objective of both local and national planning policy, and the re-purposing of part of the listed building will help ensure its long-term conservation. This weighs heavily in favour of the scheme.

Listing Review and Heritage Policy Context

- 8.3 The main issue to consider is the heritage impact of the development, and this has been of particular interest to third parties and consultees including Historic England. It should be noted, in the first instance, that this report relates to this application for listed building consent, but that it should be read alongside the report covering the tandem Planning Application (ref. DC/20/0653/FUL) in order to fully appraise all heritage matters.
- 8.4 The Post Office building is listed as Grade II. During consideration of this application, Historic England conducted a listing review of the Post Office site. On the advice of Historic England, the Secretary of State for Digital, Culture, Media and Sport (DCMS) decided to amend the entry for the Former Post Office on the List of Buildings of Special Architectural or Historic Interest. The main (front) Post Office building remains listed at Grade II. However, all structures/buildings to the rear are specifically excluded and therefore not listed (and not subject of this listed building consent application). The extent of listing is also clarified in the updated map published alongside the list description.
- 8.5 Further to the formal amendment to the list entry it was confirmed by Historic England's Senior Listing Adviser (East) that:
- "the Local Authority may consider the rear additions to the Post Office to be in the curtilage but if they are specifically excluded from the listing using ERRA (which they are) then they cannot be curtilage listed."*
- 8.6 The Grade II Listed Post Office building is a designated heritage asset. The starting point for heritage considerations is the statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act").
- 8.7 For listed buildings, s.66 of The Act imposes a duty to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. The duty is engaged when the local planning authority is considering whether to approve development which affects a listed building or its setting.
- 8.8 For Conservation Areas, the statutory duty under s.72 of The Act is to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 8.9 These statutory duties are reflected in national and local planning policy. The NPPF identifies conservation and enhancement of the historic environment as an important element of sustainable development. Paragraph 184 of the NPPF makes clear that heritage assets are *"an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."*
- 8.10 Paragraph 189 says that when determining planning applications, *"local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."*

- 8.11 NPPF paragraph 192 sets out that, *"in determining planning applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness."*
- 8.12 The NPPF at paragraphs 193 and 194 requires planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be. It also recognises that significance can be harmed by development within the setting of an asset. It is also clear that *"any harm or loss should require clear and convincing justification."*
- 8.13 The NPPF at paragraph 195 sets out that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or four other criteria are satisfied (which relate to the absence of reasonable or viable uses of the asset).
- 8.14 The statutory duties of The Act, and heritage objectives of the NPPF, are also reflected in the Historic Environment section of the Local Plan - policies WLP8.37 (Historic Environment); and WLP8.39 (Conservation Areas).
- 8.15 Members should understand that, in determining the applications, properly applying the relevant paragraphs of the NPPF and the historic environment policies of the Local Plan means that the statutory duties of The Act will have been complied with in respect of designated heritage assets.
- 8.16 Historic England (HE) originally objected to the proposal on a number of grounds. The applicant sought to respond to those comments and has engaged with officers and HE to address those concerns through the submission of additional information. A key submission is the Implementation Plan, that demonstrates the applicant's whole-building-approach, with restoration/re-purposing to be undertaken in phases; the current applications form the critical first phase in respect of ground floor remediation and restorative works; cleaning of the building façade; replacement of front windows; new single storey rear extension; and internal works to facilitate the commercial use of the ground floor space. HE supports the ethos of the implementation plan and recommend that a number of matters be addressed via suitably worded planning condition. HE did, however, continue to raise concerns regarding the form of the proposed rear extension and the applicant has sought to address that concern with the amended plans received 27 November 2020.

Assessment of the Proposed Development

- 8.17 The works subject of this application relate solely to the Grade II Listed Post Office, with development to the rear being subject of the tandem planning application.

8.18 This assessment covers the proposal in four sections:

- Works to the Frontage
- Rear Extension
- Internal Works
- Repair to Windows

Works to the Frontage

- 8.19 The proposal includes the replacement of aluminium windows in the front elevation with plate glass metal framed units reflecting the sash pattern above. The existing ramp and plinth are to remain as existing. The clear requirements of The Act and NPPF is for development to not cause harm to the significance of designated heritage assets. The proposal is window replacements that would preserve the significance of the Listed Building and its contribution to the Conservation Area in accordance with the statutory duties of s.66 and s.72 of The Act, along with the heritage objectives of the NPPF and Local Plan. The precise detail of the replacements would need to be covered by planning condition.
- 8.20 The existing timber door is to be retained, and the existing door openings are to be replaced with plate glass fixed units (aluminium framed). A new fire door and upper glazed transom section to the Street is also proposed. Conditions will be required to deal with the detail but, in principle, these works will cause no harm to the significance of the Listed Building.
- 8.21 Initially, the application proposed to clean only the ground level of the stonework façade; in response to comments from HE, the applicant has agreed to clean the entirety of the façade, which will significantly improve the appearance of the principal elevation in the High Street. The method of cleaning would need to be secured by planning condition.

Rear Extension

- 8.22 There is also the proposed extension to the rear of the Post Office which is single storey in form – originally shown to be a flat roof behind a pitched roof section – but amended to be a flat roof form. HE note that the demolition of the existing single storey pitched roof element would be an enhancement. HE has, in their final comments, expressed reservations about the parapet detailing of the proposed rear extension. In the view of officers, the proposed extension will cause no harm to the significance of the listed Post Office. It has a simple roof form and will be a significant improvement over the existing rear element. One's view of the rear extension will primarily be from the housing development and also the external area to the rear of the extension. In those views (and from the Conservation Area) the appearance will be of a simple flat-roofed extension, sitting comfortably with the listed building.
- 8.23 The Implementation Plan highlights the Oriel Window to the rear wall and seeks to 'Establish a plan to enhance and celebrate this historic feature'. This ethos fed into the amended proposals, which shows how this oriel window (supervisor's booth) can be retained internally and presented in the rear extension. This will better reveal an existing historic feature and is a benefit of the proposal. The amended extension design is considered to address key concerns raised by Historic England and be a policy-compliant design approach.

Internal Works

- 8.24 In order to create a lettable space a number of walls and internal walls are proposed to be removed. This, in principle, is acceptable.
- 8.25 HE has recommended that a planning condition secure a specification of works for the restoration of the interior cornice in the former banking hall. The applicant has agreed to this and such a condition will ensure this important historic feature is restored and presented in the re-purposed ground floor.
- 8.26 There is a note on the drawing stating that the windows are to be blocked up between units. This is acceptable in principle but needs to be covered by planning condition to ensure it is done in a reversible way if possible.
- 8.27 As part of the associated planning permission (if consented) the toilet block attached to the side wing is proposed for demolition. To ensure the resulting new exposed external wall is finished to a high standard, this needs to be covered by planning condition.

Repairs to all Windows

- 8.28 This work is welcomed. No details have been supplied but providing these are carried out like-for-like in all respects of material, quality of workmanship, and finish (and not over 50% of the window is replaced in this process) this work is considered to be a repair not requiring consent. This will be a positive for the significance of the Listed Building and its long-term conservation.

9. Conclusion

- 9.1 The works to the frontage of the Post Office will cause no harm, thereby preserving the significance of the Listed Building and its contribution to the conservation area.
- 9.2 The extension to the rear will replace a poor-quality extension and cause no harm to the significance of the Post Office. Some of the internal alterations to create a more open commercial space may cause some limited harm to historic fabric, but this work will make the ground floor space more viable and attractive to a commercial tenant – a public benefit far outweighing any limited harm arising. Detailed matters can be dealt with by planning conditions attached to any grant of consent but, in principle, the works proposed within this application are considered acceptable and would meet the requirements of policies WLP8.29 (Design), WLP8.37 (Historic Environment), WLP8.39 (Conservation Areas); and the Historic Environment objectives of the NPPF.

10. Recommendation

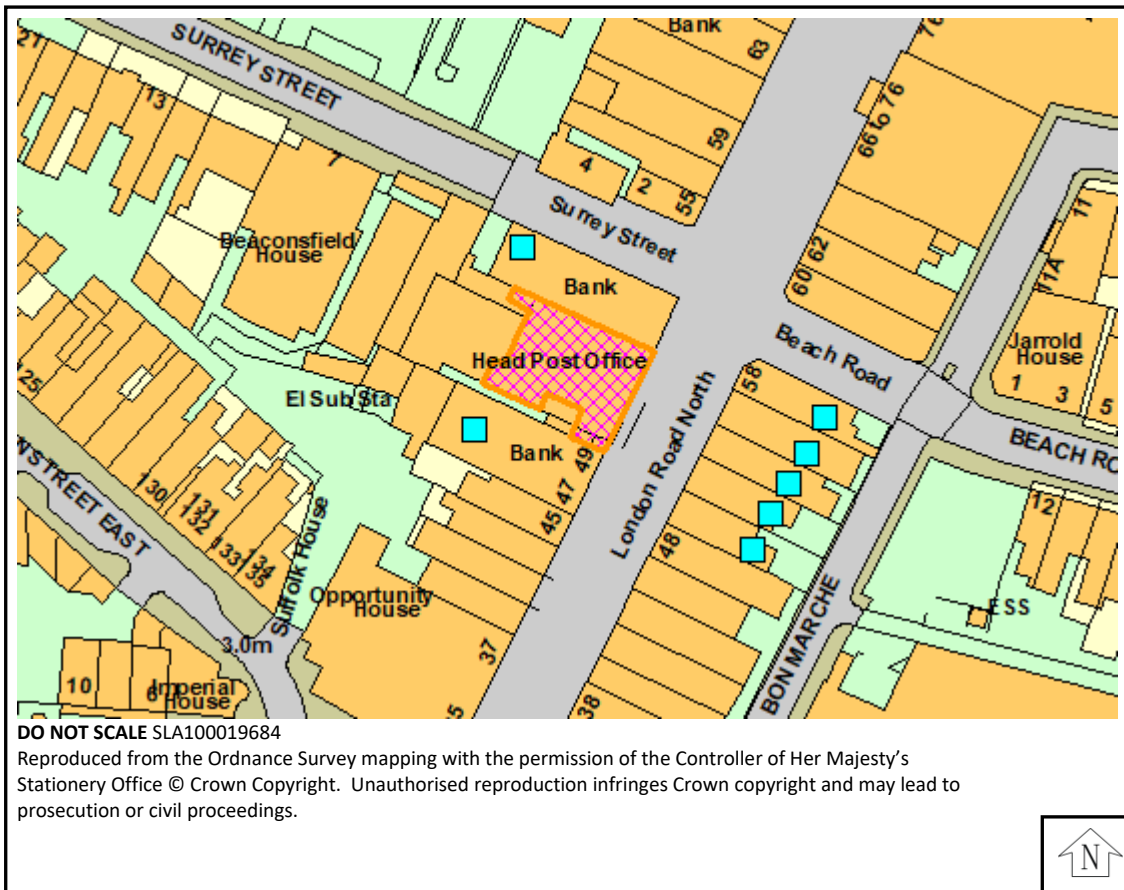
- 10.1 APPROVE subject to conditions including, but not limited to, those summarised below:
- 1) Three-year time limit.
 - 2) Standard plans compliance.

- 3) Large scale details of material, detailing and finish of windows and doors including large scale sections of the various elements.
- 4) Method statement of stonework cleaning to façade.
- 5) Details of works of making good to the side wing (adjacent the toilet block to be demolished in the tandem planning application).
- 6) Details of materials and finishes to the new extension.
- 7) Details of how any existing doors and windows of historic interest impacted by the extension are to be dealt with (retained or sealed up works).
- 8) Details of works to the decorative ceiling/cornice in the public hall.





Background papers

See application reference DC/20/1783/LBC at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QABQQNQXJJQ00>

Map



Key

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

Committee Report

Planning Committee North - 12 January 2021

Application no DC/20/4744/FUL

Location

141 St Peter's Street
Lowestoft
Suffolk
NR32 1UB

Expiry date 24 January 2021

Application type Full Application

Applicant East Suffolk Council

Parish Lowestoft

Proposal Change of use from residential dwelling (C3) to HMO (Sui generis)

Case Officer Joe Blackmore
01394 444733
Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 This application seeks full planning permission for the change of use of 141 St Peters Street from a C3 (dwellinghouse) to a Sui Generis use - House in Multiple Occupation (HMO).
- 1.2 The application is brought direct to the Planning Committee (North) for determination because East Suffolk Council is both the landowner and applicant and therefore falls outside the scope of the delegation afforded to the Head of Planning and Coastal Management in the Councils Constitution.
- 1.3 Officers are seeking authority to approve the application and grant planning permission subject to conditions.

Case for Development

- 1.4 The key Local Plan Policy (WLP8.4) test for a new HMO is whether there are 'exceptional circumstances' to justify such a conversion, as opposed to self-contained flats. The proposed

development will allow East Suffolk's Housing Team to accommodate some of the ten current rough sleepers who require this specialist, supported accommodation.

- 1.5 Officers therefore consider that the principle of this HMO use carries significant public benefit and represents a clear exceptional case - in WLP8.4 terms - where an HMO can be approved in order to provide much needed support accommodation for vulnerable people.
- 1.6 Policy WLP8.4 also seeks to address detailed matters of design, highways safety and amenity impact - which are also relevant to other Local Plan policies such as WLP8.21 (Sustainable Transport) and WLP8.29 (Design). The proposal accords with these policies and represents a sustainable form of development in accordance with the Local Plan.

2. Site description

- 2.1 The application site (No.141) is located to the south side of St Peter's Street, Lowestoft. The immediate setting of the site is predominantly residential in character but St Peter's Street, more broadly, is a mixed-use area with a variety of local shops and services to the west of the site.
- 2.2 No.141 is a three-storey building in the middle of a terrace with an existing lawful use as a C3 (dwellinghouse). The site is an irregular shape - broadly triangular in the north fronting St Peter's Street (where the application building is located), and then narrowing to a long rectangular strip of rear garden/yard that extends to the south. At the southern end of the rear yard is a single storey garage building.
- 2.3 To the west and south of the application site is residential development at Raglan Street, the rear gardens of which are served by a service access off of Reeve Street, which also serves the rear of the terrace within which No.141 is located. To the southeast are the rear gardens of residential properties which front onto Reeve Street.
- 2.4 The application site is located centrally within Lowestoft and the high street to the east is within comfortable walking distance.

3. Proposal

- 3.1 The proposed development is a change of use to a 7-bedroom HMO. The use of a building as a large HMO falls outside of a specific use class and is therefore classed as 'Sui Generis'.
- 3.2 The existing floorspace covers three storeys. The proposed block plan gives a clear picture of the number of rooms, facilities and ancillary office space. The proposal would locate communal and staff facilities, along with one en-suite bedroom, at ground floor. The six further en-suite bedrooms would be distributed evenly across the upper floors.
- 3.3 Within the rear of the application site, the proposal is to re-purpose the existing garage building to provide secured/covered cycle storage with six Sheffield bars (to accommodate up to ten bicycles). This garage door is to be blocked up and the area accessed via a secure personnel gate. To the north side of this, within the site, is allocated space for the storage of waste/recycling bins. A walkway would be provided within this re-purposed garage so

that bins could then be wheeled through for placement on the service access off Reeve Street for collection.

4. Consultations/comments

4.1 No third-party representations received.

5. Consultees

Lowestoft Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	4 December 2020	18 December 2020
<p><i>The Town Council's Planning and Environment Committee considered this application at a meeting on 15 December 2020. It was agreed to recommend approval of the application.</i></p> <p><i>Town Council has declared a Climate Emergency. To support this declaration, the Planning and Environment Committee requests that when recommending approval of a planning application the following measures are taken into account:</i></p> <p><i>Consideration of biodiversity • Support for new or improved renewable energy. • Support for alternatives to car use e.g. walking, cycling and public transport, and encourage efficient car use, including through appropriate car parking provision, car sharing, differential car-parking charges, and the use of electric cars. • Encouragement for the management of land for nature and an increase in tree cover. • Resistance of the use of natural open space for development and encourage reuse of brownfield sites. • Support homes which are energy efficient, nature friendly and located close to public transport and amenities.</i></p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 December 2020	No response
<p>Summary of comments: Awaiting consultation response; to be reported via update sheet.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	4 December 2020	15 December 2020
<p>Summary of comments: Standard condition recommended re. unexpected ground contamination.</p>		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	N/A	8 December 2020
Summary of comments: Standard informative advice about fire safety requirements for building regulations purposes.		

6. Site notices

General Site Notice

Reason for site notice: Change of Use

Date posted: 10 December 2020

Expiry date: 4 January 2021

7. Planning policy

National Planning Policy Framework (NPPF) 2019

WLP8.4 - Conversion of Properties to Flats (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)

8. Planning considerations

Policy Background

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 8.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of Development

- 8.3 As the application site is already in a residential use and located within the largest urban settlement in the District, the principle of development is acceptable in terms of the Local Plan spatial strategy.

8.4 The key policy test for this application is WLP8.4 (Conversion of Properties to Flats). Supplementing this policy are Local Plan Policies Maps which identify, amongst other things, flat saturation zones.

8.5 WLP8.4 sets out that:

"No further conversion to self-contained flats/houses in multiple occupation will be permitted in Flat Saturation Zones on Lyndhurst Road, part of Denmark Road, part of London Road South and part of Kirkley Cliff Road, Grosvenor Road, Cleveland Road and Windsor Road where saturation levels are exceeded.

Outside the Flat Saturation Zones planning permission will be granted for conversion of existing buildings to fully self-contained accommodation where the saturation figure for the street does not exceed 20% and residential properties are above average size (i.e. above 160sqm original gross floorspace and include at least 5 bedrooms), no longer suited to family occupation or have a long established use (i.e. 10 years or more) as a House in Multiple Occupation or flats. The property should be located in a commercial, mixed use or other area close to services and facilities, be able to meet existing standards for parking, amenity areas, refuse bin storage and sound insulation and have no significant detrimental impacts to adjoining family houses.

Exceptional circumstances will need to be demonstrated for the conversion to Houses in Multiple Occupation or bedsits, as opposes to self-contained flats, to be permitted."

8.6 The application site is not within a flat saturation zone. Relative to the application site, the closest identified flat saturation zone is approximately one mile to the south, at Denmark Road.

8.7 In terms of the flat saturation figure for St Peter's Street, there is no evidence to suggest the saturation figure is near or above the 20% limit identified in WLP8.4. Officers have surveyed the length of St Peter's Street to appraise the mix of uses and it is clear from even a casual assessment of the Street that there is not a saturation of multiple occupancy buildings. Most residential properties between the Rotterdam Road/St Peter's Street roundabout, in the west, and the application site, in the east, are two-storey single occupancy dwellings. The site context is also important as assessing whether there is a flat saturation issue is not just about solely the Street where the property is located. In this particular case, Reeve Street and Raglan Street are both very close to No.141, and these residential areas are again comprised of primarily two-storey, terraced, single occupancy dwellings. As one heads further east, toward the St Peter's Street/A47 roundabout, there are more flats and multiple occupancy buildings, but in the context of the entirety of St Peter's Street - and the residential context to the south of the site - there is no issue with flat/multiple occupancy saturation in this area.

8.8 No.141 is a large building comprising extensive floorspace. Arguably, this extent of accommodation goes beyond what would be required even for a large family home. It is a property of this larger size that is envisaged, by policy WLP8.4, to be broadly suitable for multiple occupancy uses.

- 8.9 The key test for a new HMO use is whether there are 'exceptional circumstances' to justify such a conversion, as opposed to self-contained flats, and this goes to the heart of the principle of development. Officers consider this to be a clear case where exceptional circumstances are evident, which is to be explained in below.
- 8.10 On 24 May 2020, The Ministry of Housing, Communities and Local Government (MHCLG) announced that £161m of funding (£30m of which was available as revenue to support capital bids) was being made available to deliver 3,300 units of long term, move-on accommodation through its Next Steps Accommodation Programme (NSAP). This is part of the Government's Covid-19 response and aims to ensure that rough sleepers brought into emergency accommodation in response to COVID-19 do not return to sleeping rough. East Suffolk Council's Housing Team have successfully bid for funding through Homes England and MHCLG to provide a seven-bed unit of supported housing in Lowestoft (this application proposal). The current level of demand clearly indicates the need for medium to high level support units of accommodation. The proposed development will allow East Suffolk's Housing Team to accommodate some of the ten current rough sleepers who require this specialist, supported accommodation. Those accommodated within the proposed development would benefit from a move on process, and support from the Housing Team.
- 8.11 Officers therefore consider that the principle of this HMO use carries significant public benefit and represents a clear exceptional case - in WLP8.4 terms - where a HMO is appropriate in order to provide much needed support accommodation for vulnerable people.
- 8.12 Policy WLP8.4 also seeks to address matters of parking, amenity areas, refuse bin storage and sound insulation. These matters are also relevant to other Local Plan policies such as WLP8.21 (Sustainable Transport) and WLP8.29 (Design).

Parking and Highways Matters

- 8.13 At the time of drafting this report, Officers have yet to receive a formal consultation response from Suffolk County Council Highways Authority (SCCHA). This consultation response will be considered, when received, and reported to Members via the update sheet. However, it rests with the Local Planning Authority to come to a final decision on highways matters with any planning application, and therefore officers can advise Members on these matters in the context of the relevant policy considerations - WLP8.21 and paragraph 109 of the NPPF.
- 8.14 The existing dwelling only has a single parking space to the rear of the site, although being within a small garage it is unclear how useable that parking space really is. On-road parking is restricted at Reeve Street and St Peter's Street, but there is available on-road parking at Raglan Street. More importantly, the central location of the site means that all services and amenities for day-to-day living are accessible by foot or on bicycle. There is a bus stop directly north on Boston Road and then also a short distance to the west along St Peter's Street. The railway station is approximately one mile south of the site.
- 8.15 Within the rear of the application site, the proposal is to re-purpose the existing garage building to provide secured/covered cycle storage with six Sheffield bars (to accommodate up to ten bicycles). This garage door is to be blocked up and the area accessed via a secure personnel gate. To the north side of this, within the site, is an allocated space for the

storage of waste/recycling bins. A walkway would be provided within this re-purposed garage so that bins could then be wheeled through for placement on the service access off Reeve Street for collection. There would be no car parking spaces provided.

8.16 It is possible that SCCHA may raise concerns with the scheme because there is no car parking provided on-site. However, officers do not have concerns with this for several reasons: (a) the site is sustainably located where travel for both residents and support staff is not reliant on private car; (b) the proposal provides ample secure/covered cycle storage which will promote this more environmentally friendly mode of transport; and (c) the accommodation is designed to house rough sleepers, thus it is clear that these residents will not own their own vehicle. The accommodation will be managed by on-site staff but, given the location of the site, their travel to place of work is not reliant on private car. In any case, there is on-street parking available at Raglan Street.

8.17 When considering planning applications, NPPF paragraph 109 provides clear guidance that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

8.18 It is the view of officers that there are no highways grounds to refuse the application, and the scheme accords with the objectives of WLP8.21.

Residential Amenity

8.19 In terms of impacts on the local residential environment, there are no physical works to the exterior of the main building and thus no direct impacts from physical development. The re-purposing of the garage will only be for cycle storage so will have no material impact on nearby properties. Matters of bin presentation and storage have been addressed in the considerations above.

8.20 Members should note that the character or type of individual who may live at the property is not a material consideration; it is for the Committee to consider whether the use of the building/land is acceptable, giving the appropriate weight to the benefit of providing supported accommodation for those with medium to high support needs. There is nothing inherent to the proposed use that raises concerns of crime or anti-social behaviour. At the time of writing this report, no third-party representations of objection have been received.

8.21 The proposed block plan gives a clear picture of the number of rooms, facilities and ancillary office space. All seven bedrooms would be en-suite, spacious rooms with good access to daylight/sunlight. The ground floor communal area, kitchen and rear garden will provide good shared facilities for residents. The ground floor plan provides an area of office space, cupboard storage and W.C. facilities for management staff.

8.22 In terms of sound insulation, the detailed drawings show the position of insulation (sound walls) where the building adjoins adjacent properties. This is sufficient for planning purposes and the detail will be subject of separate control under the Building Regulations.

8.23 In terms of management, there is a clear process in place where Orwell Housing will provide the management, care, and support. Orwell Housing is also the largest provider of care and

support in Suffolk, so considered to be experienced with managing this type of accommodation so that it can co-exist with surrounding residential uses. Given the particular benefits arising from this form of bespoke accommodation, it is considered appropriate to grant a planning permission solely for the benefit of the applicant (East Suffolk Council) – i.e. a personal permission - rather than it running with the land as a generic HMO permission. This is a lawful approach, in planning terms, and should give comfort to Members that the proper management of this HMO use can be secured in perpetuity.

- 8.24 Therefore, for the reasons given, the scheme is considered to accord with Policies WLP8.29 (Design) and WLP8.4, in terms of residential amenity and functional design.

Other Matters

- 8.25 The Council's Head of Environmental Health has recommended that a condition be attached to any grant of planning permission to deal with the discovery of unexpected contamination. Given that the site is already in a residential use, this condition would not be reasonable and therefore officers do not recommend it be applied, because it would fail the conditions tests as set out in the NPPF.

9. Conclusion

- 9.1 The key Local Plan Policy (WLP8.4) test for a new HMO is whether there are 'exceptional circumstances' to justify such a conversion, as opposed to self-contained flats. The proposed development will allow East Suffolk Council's Housing Team to accommodate some of the ten current rough sleepers who require this specialist, supported accommodation.
- 9.2 Officers therefore consider that the principle of this HMO use carries significant public benefit and represents a clear exceptional case - in WLP8.4 terms - where a HMO can be approved in order to provide much needed support accommodation for vulnerable people.
- 9.3 Policy WLP8.4 also seeks to address detailed matters of design, highways safety, and amenity impact - which are also relevant to other Local Plan policies such as WLP8.21 (Sustainable Transport) and WLP8.29 (Design). The proposal accords with these policies and, in the round, represents a sustainable form of development in accordance with the Local Plan.

10. Recommendation

- 10.1 Authority to Approve, subject to no new material planning issues being raised (prior to the end of the consultation period - 05 January 2021) that have not already been considered within this report.

11. 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. This permission shall endure solely for the benefit of the applicant 'East Suffolk Council' and not for the benefit of the land.

Reason: Having regard to the special circumstances put forward by the applicant and the bespoke accommodation to be provided and managed.

3. The development shall be carried out strictly in accordance with Drawing No. 2684.20.2E, received 18 December 2020.

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

4. Prior to the approved use commencing, the areas within the site for the storage of waste/recycling bins and bicycles (as shown on Drawing No. 2684.20.2E) shall be provided in full and made available for use. Thereafter those areas shall be retained for only those purposes unless otherwise approved in writing by the Local Planning Authority.

Reason: to secure key elements of the layout at an early stage of the development, in the interest of residential amenity and good design.

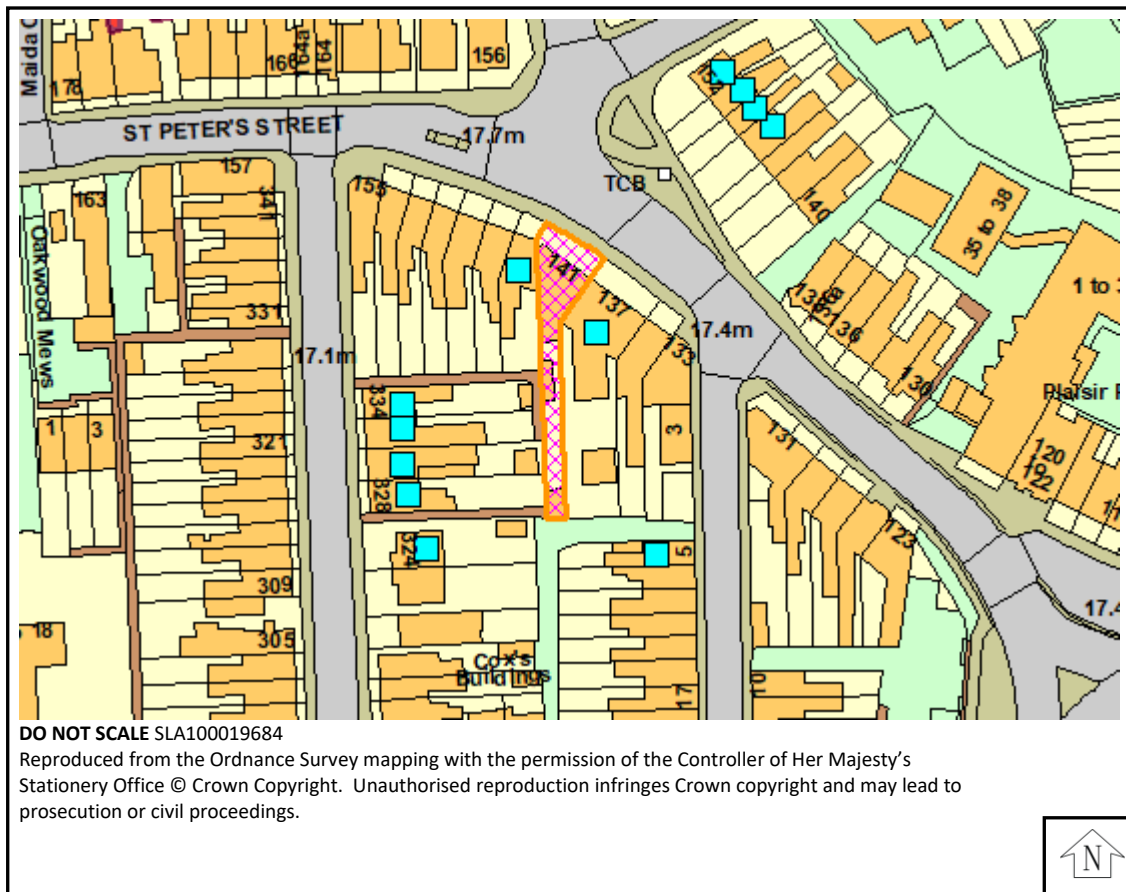
Informatives:

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.

Background Papers

See application reference DC/20/4744/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 12 January 2021

Application no DC/20/3675/COU

Location

Toad Hall
Mardle Road
Wangford
Beccles
Suffolk
NR34 8AU

Expiry date 11 November 2020

Application type Change of Use

Applicant Gavin Crossland

Parish Wangford With Henham

Proposal Change of use from disused residential orchard/garden to glamping site with 5no. pitches.

Case Officer Michaelle Coupe
(01394) 444440
michaelle.coupe@eastsuffolk.gov.uk

1. Summary

- 1.1 This application is seeking to provide tourist accommodation in the form of five glamping pods which will essentially just provide sleeping accommodation. The scheme includes a toilet and shower block as well as a wellness studio. The site is within the countryside close to Wangford village and is within the Suffolk Coast and Heaths AONB.
- 1.2 The application is referred to the Planning Committee (North) at the request of the Referral Panel, because further issues regarding parking needed to be addressed and considered by the Committee.
- 1.3 Subsequent to the consideration by the Referral Panel, a revised plan has been received amending the parking layout. Officers consider that this addresses the matter and represents an acceptable proposal in highways safety terms.

- 1.4 The application is recommended for approval as it is considered to comply with the policies of the Development Plan in respect of the provision of small-scale holiday accommodation across the District.

2. Site description

- 2.1 Toad Hall is a detached dwelling situated in the countryside less than a mile from Wangford village and within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).
- 2.2 Directly opposite is the residence Reydon Grange, a Grade II listed building, set back some distance from the road. Abutting the site to the rear is arable farmland. Access is via Mardle Road - a narrow country lane that joins the B1126 Wangford to Reydon Road. The road serves a very limited number of properties and is not a direct route to anywhere.

3. Proposal

- 3.1 The proposal is to change the use of part of the property's curtilage (former orchard) to provide five glamping pitches. Each pitch will comprise a very modest timber pod on a concrete base and constructed of horizontal waney edge timber cladding, left to go silver over time, with shallow pitch roof covered in grey shingle tiles. The pods essentially just provide sleeping accommodation, for couples, with toilet and shower facilities being provided in a separate block within existing outbuildings close to the house. The pods are transportable on the back of a lorry. A wellness studio is also proposed within the existing outbuildings, which will provide space for Yoga and other exercise classes as well as quiet meditation. Each pod will have a small outdoor and a private decking area and seats, as well as two bicycles. A small kitchenette will be provided in the wellness centre as well as fridge storage. Outdoor cooking facilities will also be provided for each pod.
- 3.2 The dwellings existing parking area will be extended to accommodate five car parking spaces for each of the pods, served by the existing access onto Mardle Road. The area allows for two parking spaces for Toad Hall.
- 3.3 The site comprises a number of boundary trees and hedging most of which are to be retained. Additional planting is proposed including infilling of the boundary hedge to the road.
- 3.4 The application is supported by a Tree Survey and Arboricultural Impact Assessment and an Ecological Appraisal. Additional information was provided to address the comments from the Highway Authority.

4. Consultations

- 4.1 No third-party representations have been received.

Parish Council

Consultee	Date consulted	Date reply received
Wangford With Henham Parish Council	22 September 2020	9 October 2020
<p>Summary of comments:</p> <p><i>Wangford with Henham Parish Council recommend refusal for the following reasons:</i></p> <p><i>The site, as per the plan, would be very tightly packed, so much so that if 5 cars were parked in the designated space it appears it would be difficult to open a car door wide enough to get out.</i></p> <p><i>The entrance to the site is on a blind bend which has already been the scene of a few near misses and the increase of traffic, particularly in the summer months, on this narrow single track lane would not help the issue.</i></p> <p><i>The site is within the ANOB and the appearance of the proposed buildings and sheds would not enhance it.</i></p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	10 November 2020	20 November 2020
<p>Summary of comments:</p> <p>Following the submission of further information there is still concern that the standard visibility splay for the speed limit of the road, 60mph, cannot be achieved in both directions.</p> <p>These can be reduced if measured speeds evidence that vehicles are travelling below the speed limit.</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	22 September 2020	13 October 2020
<p>Summary of comments:</p> <p>Requires more information regarding visibility splays, vehicle turning areas, bin storage/presentation areas, drainage mitigation and cycle storage facilities</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	22 September 2020	21 October 2020
<p>Summary of comments:</p> <p>Recommends condition regarding contamination.</p>		

Consultee	Date consulted	Date reply received
Ecology (Internal)	5 October 2020	27 October 2020
Summary of comments: Referred to in officer report.		

5. Publicity

None

6. Planning policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.

6.2 The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are material considerations when determining the application.

6.3 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan (March 2019)

7. Planning considerations

7.1 The Waveney Local Plan recognises that self-catering tourist accommodation plays a vital role in Waveney's tourism sector, and that the tourism industry is an important part of the District's economy. Policy WLP8.15 - New Self Catering Tourist Accommodation indicates that small scale sites providing fewer than 10 pitches/units will be supported in principle across the whole of the former Waveney District, including the AONB. The policy does not permit self-catering accommodation within permanent structures outside the settlement boundaries, unless it involves the conversion of an existing rural building.

- 7.2 The proposed pods themselves, given they are easily removable and only contain sleeping accommodation, are considered to be of a temporary nature rather than permanent structures. As the toilet, shower and kitchen facilities are to be housed within existing buildings, the proposals are considered to comply with policy WLP8.15.
- 7.3 The site is quite close (less than a mile) to Wangford village and very close to a nearby farm shop, certainly within cycling distance. The provision of bicycles for visitors will encourage visitors to travel to local services and facilities using non-car modes. The applicants have also indicated that guests can be collected from Darsham station. The proposals are thus considered to comply with Local plan policy WLP8.21 - Sustainable Transport.
- 7.4 Local Plan policy WLP8.35 seeks to ensure the special qualities of the AONB are preserved and enhanced. Given the size and scale of the pods; the limited number; and the materials to be used, it is considered they will nestle into the existing well-treed site and be sympathetic to their rural surroundings. This will be further enhanced by additional planting. The land at the rear of the site is open agricultural land and the proposals are not considered to have an intrusive impact on this farmed landscape. Their impacts will be very localised and not result in harm to the wider AONB landscape.
- 7.5 The conversion of the existing outbuildings to provide facilities for guests involve minimal alterations and the changes that have been made are sympathetic to the buildings character and appearance.
- 7.6 It is not considered the proposals will adversely impact on nearby residents (nearest resident is opposite, but some distance back from the road) by reason of increased noise and disturbance given the scale and nature of the development and the management of the site by the occupants of Toad Hall.
- 7.7 The proposals are thus considered to comply with policies WLP8.29 Design and WLP8.35 Landscape Character.
- 7.8 The property opposite is a Grade II listed building but, given its distance back from the road and contained nature of the site, the proposals are not considered to adversely impact on the setting of the listed building. Thus, there is no conflict with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990; the heritage objectives of the NPPF; or the heritage objectives of the Local Plan – all of which attach great weight to preserving the significance of Listed Buildings inclusive of any contribution made by their setting.
- 7.9 With regard to impact on highway safety, the road serving the site is a narrow rural lane that currently serves very few properties. Whilst the speed limit is 60mph it is highly unlikely vehicles would be travelling at this speed because of its limited width and because of the presence of a bend in the road close to the application site. The visibility splays of 115m in one direction and 59m in the other is thus considered reasonable given the nature of the road and the nature of the proposals. The applicants have checked the accident records which confirm there have never been any recorded accidents on Mardle Road in the past 21 years by any type of vehicle. The site is only a short distance along Mardle Road from the B1126 Road.

- 7.10 Parking is provided on site, allowing one space per pod and two for the existing dwelling. The size of the parking bays and space for manoeuvring is adequate and meets the recommended standards. The proposal accords with WLP8.21 Sustainable Transport.
- 7.11 The Council's Ecologist is satisfied with the conclusions of the submitted Preliminary Ecological Appraisal subject to conditions being imposed on any consent granted that require the development to be undertaken in accordance with the report in terms of ecological avoidance, mitigation, compensation and enhancement measures and controls the removal of hedgerows and trees between 1st March and 31st August and any lighting on site to avoid adverse impacts on nesting birds and other wildlife.
- 7.12 Given that the pods will have no bathroom or kitchen facilities they do not fall under RAMS. The proposals are thus considered to be compliant with Local Plan policy WLP8.34 - Biodiversity and Geodiversity.

8. Conclusion

- 8.1 In conclusion it is considered that having regard to the scale and nature of the development, its location, and limited landscape impact, it would represent a sustainable form of development that will benefit the District's tourism economy, without causing harm to the character of the area, amenity of neighbours and highway safety, and is policy compliant.

9. Recommendation

- 9.1 Approve with conditions as below:

10. 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 details/drawings contained in the submitted supporting statement as amended by drawings A04-06B received 11/12/20 and A04-07 received 10/11/20; and drawing 100920/01 received 17/09/20; and the Preliminary Ecological Appraisal (PEA) by Aspen Ecology, dated August 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 glamping units hereby approved shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one

person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation. The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Aspen Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

6. No external lighting shall be installed at the site unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

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.

7. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.
Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.
8. The recommendations of the Arboricultural Impact Assessment shall be implemented in full.
Reason: To protect the trees during the course of development in the interests of visual amenity.
9. The bin storage and presentation area shall be provided in accordance with the details shown on drawing A04-06, before the development is brought into use, and shall be retained thereafter for no other use.
Reason: To ensure the satisfactory provision is made for the storage and collection of refuse in the interests of visual amenity and highway safety.
10. The visibility splays shown on drawing A04-07 shall be provided before the development is brought into use and shall thereafter be retained as such.
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.
11. The use shall not commence until the area(s) within the site shown on drawing A04-06B for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
12. 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
13. Within 3 month(s) of commencement of development, satisfactory precise details of a tree and/or hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority. The scheme shall include the infilling of existing gaps in the roadside hedge.

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

14. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.
Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

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:

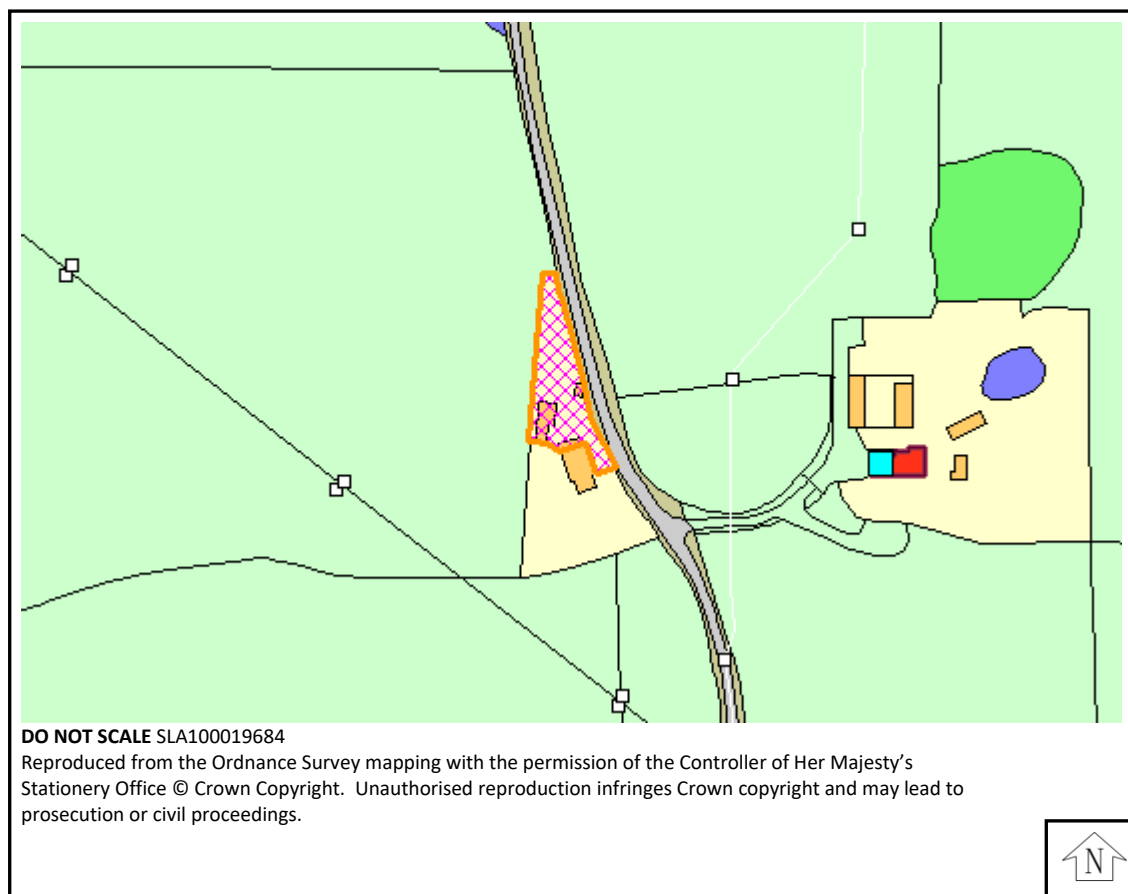
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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





Background Papers

See application reference DC/20/3675/COU on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 12 January 2021

Application no DC/20/4001/FUL

Location

9 Trinity Street
Southwold
Suffolk
IP18 6JH

Expiry date 1 December 2020

Application type Full Application

Applicant Rebecca Meo

Parish Southwold

Proposal Conversion of ground floor shop into holiday let for disabled use

Case Officer Michaelle Coupe
(01394) 444440
michaelle.coupe@eastsuffolk.gov.uk

1. Summary

This application is for the conversion of an existing retail unit to a holiday let which would be specifically designed for the disabled. The site is within the settlement boundary of the town and within the designated Conservation Area. The proposed use will contribute towards tourism and thus supporting an important part of the District's economy. The proposals will not be harmful to residential amenity, highway safety, heritage assets and European Habitat sites. The application is recommended for approval as it is considered to be a sustainable form of development that accords with the Development Plan.

The application is before the Planning Committee (North) at the request of the Referral Panel.

2. Site description

- 2.1 The building is an end of terrace property abutting the footway on the east side of Trinity Street. It comprises a shop on the ground floor with flat above. Prior to the shop use the

premises were an (A2 use) holiday letting agency, with various commercial uses prior to this. The building lies within the conservation area but is not a listed building. It comprises an attractive shop front including two large sash windows to main façade that were added, it is stated, in the 1930's. Unlike the other buildings in the terrace which comprise red brick walls the premises comprise rendered walls.

3. Proposal

- 3.1 The main proposal is for a change of use to a holiday let suitable for disabled people confined to a wheelchair. The applicant states there is a dearth of such accommodation in the town and the accessible ground floor unit proposed would be of great benefit.
- 3.2 A new bin store is proposed within the gable wall, and a new shower room window which will be fitted with obscured glazing using white etched glass. It is proposed to retain the existing shop windows.
- 3.3 The applicants explain that the most recent retail use has not been successful, the premises being slightly off the beaten track and much less prone to footfall than the High Street. It is outside the designated Town Centre, and no longer in an area that contains a number of shops. The shop had been marketed, at a reduced rate, through the estate agent, Fennels, for nine months, without any interest at all.
- 3.4 Access remains as existing with the exception that the main entrance doors will be automatically operated for the benefit of disabled visitors. Adjustment will be made at the threshold to ensure easy wheelchair access. It is stated the applicant is applying for a disabled parking bay outside the property.

4. Consultations/comments

- 4.1 Two representations of support have been received raising the following key matters:
 - A quality holiday let for the disabled is much needed in the town and is surrounded by holiday lets; and
 - The Town Council's objection based on the Neighbourhood Plan is unlawful as the Plan has not yet been the subject of a referendum.
- 4.2 Four representations (including one from Ward Member, Cllr Beavan) of objection have been received, on the following key grounds:
 - lack of parking;
 - loss of retail;
 - over-development and intensification of use;
 - new window would cause overlooking;
 - the servicing proposals (removal of waste) will encroach on neighbour's property and thus they have no legal rights to implement them and would interfere with their parking space; and
 - The provision of a parking bay outside the property would present an obstacle and exacerbate congestion.

5. Consultees

Southwold Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	13 October 2020	3 November 2020
<p><i>“Recommend refusal</i></p> <p><i>This small ground floor shop, with a C3 flat using for holiday letting above, is near the corner of Trinity Street and East Street. Formerly the shop was a holiday letting agency, and recently has been a gift shop –both run by the owner/applicant. East Street is a vibrant part of the Town Centre and there is a successful gift shop on the corner of East Street and Trinity Street a few doors down from this shop. The owner/applicant, who attended Southwold Town Council Planning Committee meeting that considered this application, advised that she has not been successful in letting the shop as a retail premise but detailed information was not provided on how the shop had been marketed – at what rent, for how long, for a purpose under the new use class regulations, etc. The Town Council notes that shops vacated during lockdown are now being let to independent businesses presumably because rents are lower. It might well be possible for this shop to be used by another type of business under the greater flexibility provided by the new use class.</i></p> <p><i>This is the second application in the town for change of use to holiday let. The first (37 Pier Avenue) was to develop a three bedroom house into a large “party” type house. Change of use from C3 to Sui Generis was refused and an appeal was dismissed. Although the proposed use for this site is a “disabled” holiday let suitable for a maximum of two people, there would be nothing to prevent the owner from using the premises as a generic holiday let. For this reason, we treated this application as a change of use to sui generis for holiday letting without any restrictions on the type of client. This was based on the statement by the applicant/owner, in response to a Town Councillor’s question, that if she were unable to obtain a disabled parking bay for the specific use of the flat, she would still want to use the premises for self-catered leisure accommodation.</i></p> <p><i>The owner/applicant has advised the Town Council that she has not yet applied to SCC Highways for a disability bay. STC has been advised by SCC that it grants disability bays to specific individuals and not to premises. STC has therefore assumed that no parking provision can be made for this new use, which will attract one vehicle.</i></p> <p><i>The site is located in an area of high demand for parking because of the numerous houses used for holiday letting in the immediate area, and the lack of on-street parking. There are a small number of spaces on the opposite side of the street, which have timed limited car parking. Until recently, STC retained a PCSO for parking enforcement and this time limited bay on Trinity Street, along with Victoria Street and East Street were all enforcement “hot spots” for anti-social parking. Perhaps the single biggest complaint by residents and people working in the town about holiday lets is a lack of parking provision, which means that users of holiday lets compete with residents and employees for the limited space available near the homes that they rent. This problem has gotten worse since lockdown as fewer people vacation abroad. (Local letting agents advise that the holiday lets in town are all booked up through 2022.)</i></p> <p><i>The applicant has asked the Town Council to consider that this change of use would generate demand for only one car space. The town, however, cannot absorb any more holiday let car</i></p>		

parking. In January 2020, the Town Council retained a consultant to gather information on holiday letting and parking. The research found that there were 374 holiday lets in the town and of these, 239, including a number advertising accommodation to more than 10 guests, did not provide any off-road parking.

WLP 8.21 – Sustainable Transport states that subject to design considerations, “new developments will be required to provide parking that meets the requirements set out in the Suffolk Guidance for Parking issued by Suffolk County Council (2014 and subsequent updates). SCC Highway Parking Guidance calls for one car space for a one bedroom flat. In a recent planning application (refused) for 18 Chester Road, DC/20/1498/FUL, SCC Highways wrote: “We do not consider Southwold a highly sustainable location where reductions to our parking standards should be permitted.”

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	13 October 2020	26 November 2020
Summary of comments: As this is a conversion of an existing building that would attract its own parking demand, an objection on the basis of a lack of parking provision cannot be upheld. A condition is recommended regarding refuse storage.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	11 November 2020
Summary of comments: Recommend refusal because of the loss of a retail outlet and the lack of parking.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	13 October 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	13 October 2020	23 October 2020
Summary of comments: If use restricted to holiday accommodation, then no implications for contaminated land.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	13 October 2020	No response
Summary of comments: Referred to in officer report.		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	23 October 2020	13 November 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	23 October 2020	13 November 2020	Lowestoft Journal

7. Planning Policy

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 7.2 The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are material considerations when determining the application.
- 7.3 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan (March 2019)
- WLP8.21 – Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)
- WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019)
- WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan (March 2019)
- WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019)

8. Planning considerations

- 8.1 The Waveney Local Plan recognises that self-catering tourist accommodation plays a vital role in Waveney's tourism sector, and that the tourism industry is an important part of the District's economy. Policy WLP8.15 directs new self-catering tourist accommodation comprising permanent buildings to within settlement boundaries.
- 8.2 The site lies outside the defined Town Centre and is not within a Local Shopping Centre as identified in the Local Plan. There are no Local Plan policies that require the existing shop use to be retained. The premises are surrounded on all sides by existing residential properties. Given the very restricted size of the ground floor; the lack of any curtilage to the premises; and its close relationship to the road and other buildings, its occupancy as a permanent dwelling would not be ideal given the limited amenity standards it would have. However, being available for holiday letting where future occupiers would only be staying for short periods, the space standards and need for a garden is not as high. Furthermore, the premises are very close to the sea front and the Town's other attractions and facilities. The holiday-use would support local shops and services with tourists spending in the local economy.
- 8.3 It is thus considered that the use of the premises for the provision of self-catering tourist accommodation would be in accordance with Local Plan policy WLP8.15.
- 8.4 Objections have been received regarding the perceived lack of parking to serve the holiday let. However, as this is a conversion of an existing building that would already attract its own parking demand, an objection on the basis of a lack of parking provision cannot be justified. Some potential occupier's may not have their own private transport and thus not be in need of a parking space, in any event. The premises are in a sustainable location, being within walking distance of the sea front and the town centre.
- 8.5 When considering planning applications, NPPF paragraph 109 provides clear guidance that:
- "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 8.6 It is the view of officers that there are no highways grounds to refuse the application, and the scheme accords with the objectives of WLP8.21 (Sustainable Transport).
- 8.7 The applicant has confirmed that they have the necessary legal rights of way to access the bin store over the neighbour's drive. In any event this is a private matter that would need to be resolved by the parties concerned. The applicant also confirms that refuse will be collected privately and so bins will not be left out for collection.
- 8.8 The proposals are not considered to cause harm to the amenity of neighbouring uses and thus accords with the amenity objectives of Policy WLP8.29.
- 8.9 With the retention of the existing shop frontage (including the windows, doors, fascia, cornice and pilasters) and the minimal alterations comprising a new small window and doors to the refuse storage in the end gable wall, it is considered the proposals will seek to preserve and enhance the character and appearance of the Conservation Area and thus

accord with Local Plan policies WLP8.37 and WLP8.39 which, in line with the NPPF, seek to protect designated heritage assets. The proposal also accords with policy WL8.29 - Design.

- 8.10 The applicant has made the required financial contribution under the Suffolk Coast RAMS to mitigate the impact that new tourist accommodation will have as a result of increased recreational disturbance on designated Habitats Sites. It can therefore be concluded that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites. The proposal is therefore in accordance with the requirements of Local Plan policy WLP8.34 and NPPF Chapter 15.

9. Conclusion

- 9.1 In conclusion, whilst it is unfortunate to lose this small retail outlet, there are no policies in the Local Plan that seek to retain this particular use. The proposed use will contribute towards tourism and thus supporting an important part of the District's economy. It is not considered a refusal of planning permission can be justified on amenity and highway safety grounds, and the proposals will not cause harm to heritage assets and European Habitat sites. On balance, therefore, the proposal represents a sustainable form of development in accordance with the Local Plan and NPPF and is therefore recommended for approval.

10. Recommendation

- 10.1 APPROVE subject to the following controlling conditions:

11. 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 155103 received 07/10/20, and the applicants supporting information received 09/11/20, 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 premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking or re-enacting the said Order). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

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

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the premises are considered unsuitable for permanent residential development, given the space standards and lack of outdoor space.

4. The areas to be provided for storage of Refuse/Recycling bins shown on drawing number 155103 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose. The collection of refuse shall be in compliance with the details submitted with the application.

Reason: To ensure that adequate provision is made for the collection/storage of refuse recycling bins.

5. The new window in the south-west elevation shall be fitted with obscure glazing and thereafter retained as such.

Reason: To avoid undue loss of privacy to neighbouring residents.

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:

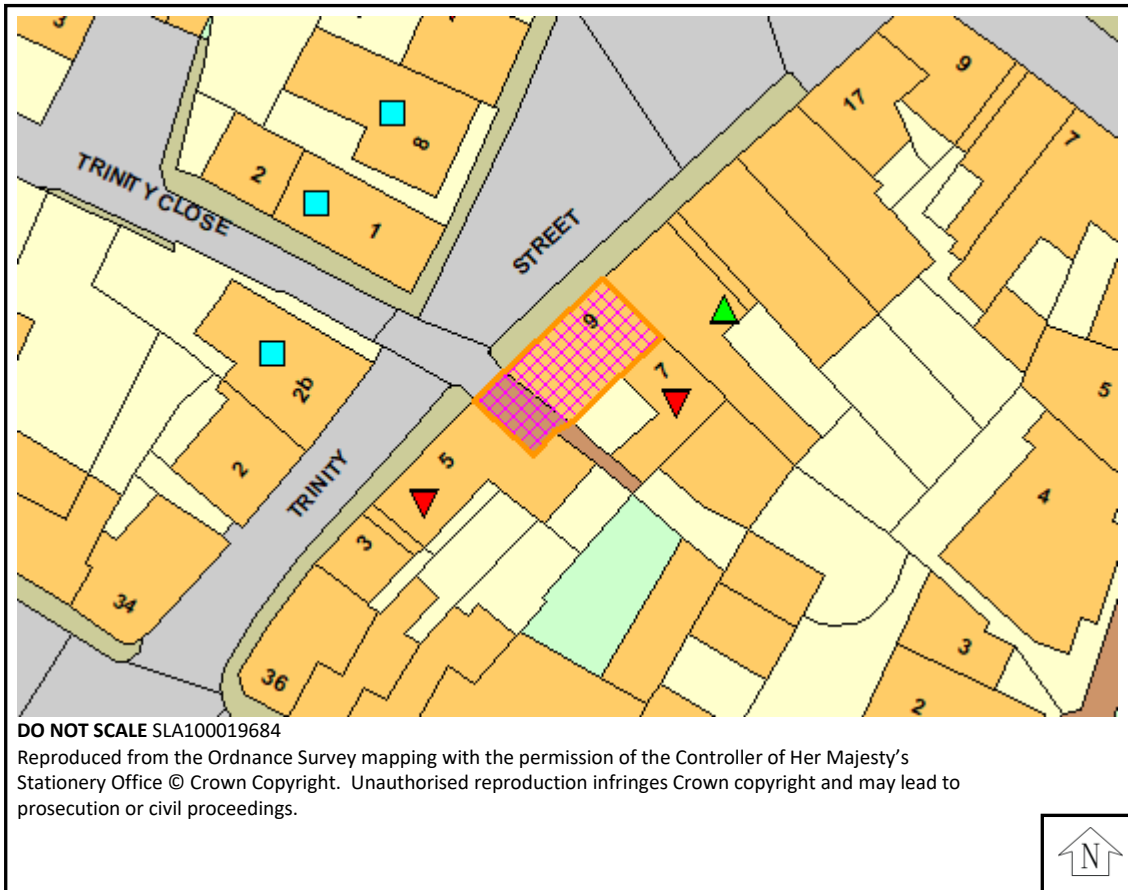
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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





Background Papers

See application reference DC/20/4001/FUL on [Public Access](#)

Map



Key

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