

Confirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 8 November 2022** at **2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Sarah Plummer

Other Members present:

Councillor Peter Byatt, Councillor Tony Goldson, Councillor Mary Rudd

Officers present: Ben Bix (Democratic Services Officer), Joe Blackmore (Principal Planner), Ben Woolnough (Planning Manager - Development Management, Major Sites & Infrastructure), Rachel Lambert (Principal Planner (Major Sites)), Matthew Gee (Planner), Mia Glass (Assistant Enforcement Officer), Nicola Wotton (Deputy Democratic Services Manager)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Brooks and Rivett. Councillor Rudd was in attendance as substitute for Councillor Brooks; and Councillor Goldson attended as substitute for Councillor Rivett.

2 Declarations of Interest

Councillor Goldson declared a Non-Registerable Interest in agenda item 6 as a Ward Member for Halesworth and Blything. Councillor Pitchers declared a Non-Registerable Interest in agenda item 7 as a Ward Member for Kirkley and Pakefield.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Ashdown, Ceresa, Cooper, Coulam, Goldson, Pitchers and Plummer declared that they had been lobbied by email and/or letter on Agenda Item 6 - DC/21/4501/FUL - Dairy Farm, Saxons Way, Halesworth, and had not responded.

4 Minutes

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

RESOLVED

That the Minutes of the Meeting held on 11 October 2022 be confirmed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1334** of the Head of Planning and Coastal Management, which was a summary of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 24 October 2022. At that time there were 14 such cases. The Chairman commended Officers on the improved format of the report.

The Assistant Enforcement Officer drew the Committee's attention to one new notice that had been served since the publication of the report relating to land known as the Pastures, The Street, North Cove, Beccles for a material change of use, with a four month compliance period. There being no further updates, the Chairman passed on an expression of thanks from Lound Parish Council for the work of the Enforcement Team relating to Paddock 2, The Street, Lound, which was now awaiting the decision of the Planning Inspectorate.

The Chairman observed, and Officers undertook to investigate whether it would be possible for future reports to be circulated to each Ward Member where an outstanding enforcement case was extant in their Ward. There being no further questions, it was

RESOLVED

That the outstanding enforcement matters up to 24 October 2022 be noted.

Upon the conclusion of this item, the Chairman adjourned the meeting to allow all Members to consider the Update Sheet that had been published and circulated on 7 November 2022. The meeting adjourned at 2.09pm and reconvened at 2.15pm.

6 DC/21/4501/FUL - Dairy Farm, Saxons Way, Halesworth

The Committee considered report **ES/1336** which related to planning application DC/21/4501/FUL. The hybrid planning application sought full planning permission for retirement living accommodation, car parking, access, landscaping and ancillary development; and outline planning consent with all matters reserved for a community use building and ancillary development. The retirement accommodation proposed would be of 53 dwellings, comprised of 43 apartments and 10 bungalows, classed as a typical residential C3 use, with a degree of care and support to be provided to residents, along with communal facilities. Occupancy would be restricted to persons aged 60 and over. The application had been referred to the Committee by the Head of Planning and Coastal Management due to the scale and significance of the development and the recommendation for authority to approve.

The Committee received a presentation from the Principal Planner (Major Sites), who was the case officer for the application. The Committee considered the site context as

allocated under policy WLP4.5 of the Waveney Local Plan 2019. At the time of allocation, the site was considered to be suitable for 40 conventional housing dwellings, however the retirement community nature of the proposal would enable a more efficient use of the site. The Committee were shown contemporary photographs and computer generated images of the site, a policies map, the residential site plan, proposed elevations, floor and roof plans and the proposed dwelling types.

The Principal Planner (Major Sites) illustrated and surmised the material planning considerations and key issues which were:

- The Principle of development
- Highways: accessibility and technical standards
- Housing density and Housing mix
- Affordable housing/ viability
- Landscaping and arboriculture
- Design and heritage
- Residential amenity
- Lifetime design
- Environmental protection: noise, air quality, and land contamination
- Flood risk and sustainable urban drainage
- Infrastructure requirements
- Connectivity: cycling and walking
- Open space provision
- Ecology
- Archaeology, and
- Sustainable construction

The recommendation to approve the application as set out in the report and update sheet was outlined to the Committee and would be subject to the following:

- Removal of holding objections from the lead local flood authority and highway authority,
- Agreement of all required planning conditions
- The completion of a section 106 legal agreement (including the transfer of land for community use, details of a commuted sum calculation (currently £230,000) in lieu of affordable housing, and a mitigation contribution to the Suffolk Coast Recreation Disturbance Avoidance and Mitigation Strategy.

The Planning Manager emphasised the complexity of the application and that whilst there remained technical objections regarding highways and flood risk, discussions between Officers on those matters were at an advanced stage and Members could be assured that their considerations would be based on the most recently available information.

At the invitation of the Chairman Members asked questions of Officers. Councillors Cooper and Goldson sought clarification of noise mitigation measures, particularly relating to the adjacent extant public house. Officers explained that a 3 metre wall would provide an acoustic barrier and the development would be managed and maintained by the applicant or a management company appointed by them. Environmental Health were content with the proposed mitigations, and the Committee

noted that a condition would require the acoustic barrier to be built prior to occupation of the site.

Councillor Rudd asked about how many parking spaces would be on the site, and if there was a shortfall, queried where residents or their visitors would park. Officers explained that whilst there was a shortfall, the development was for age-restricted general market housing and consequently those residents would have lower demand for parking. An illustration was shown of the location of the parking spaces for the bungalows, which each had its own driveway. Visitors would be able to park in public car parks in town and this was a consistent approach to similar recent developments elsewhere in the District. The Planning Manager clarified that the development proposed 53 dwellings with a total of 46 resident and visitor parking spaces on the site. As the site was in the town centre, it was well served with facilities that could be accessed on foot, along with public car parking nearby.

Councillor Ceresa was assured by Officers that it was timely that the outline site for community use be brought forward as part of the hybrid application as a step forward from the allocation already in place. Community Infrastructure Levy opportunities could then be explored and the site would be more ready to be developed. The site was of sufficient size to be developed and the applicant had been asked to increase the impermeable area from 1000 to 1400 square metres.

Councillor Ceresa queried that there appeared to be a policy contradiction whereby Local Plan policies WLP 4.1 and 4.5 foresaw development for younger people, which the application did not align with, and there were other sites where the development could be situated instead. The Planning Manager countered that the alternative sites were further away from the town centre and emphasised that other recent approvals would bring 500 family homes to the town, of which 160 would be affordable. Turning to the proposal, the site had proven unfeasible previously for a conventional residential development, consequentially a C3 development was a viable alternative, and there would be an additional community benefit gain from the outline site.

Regarding access, Councillor Goldson queried whether a traffic survey had been undertaken on Saxons Way, as the road was already congested, had three bus stops and was used by the emergency services. He contended that the proposed development would increase traffic around the area, and the proposed additional bus-stop would cause further congestion. The Planning Manager responded that Suffolk Highways was the consultee on road access matters, and whilst Officers were working with them to resolve their technical objections, they had not proposed that a traffic survey be undertaken. Moreover, the Local Plan identified Saxons Way as the appropriate and safe road access to the site.

Councillor Goldson sought two clarifications about Swan Lane, firstly whether a cycle path could be provided alongside; and secondly whether the raised footpath would be upgraded. Officers explained that the minimum width of 3 metres for a cycle path could not be achieved; and that discussions were advanced with Halesworth Town Council regarding public realm improvements identified as a priority in the Halesworth Neighbourhood Plan.

In response to further questions from Members:

- Officers were content with the sizes of the garden and amenity spaces that were proposed, and clarified that as there was no intention to create a gated community, there would be a condition concerning the connectivity of the site.
- In acknowledgement of the consultation response received from Suffolk County Archaeological Unit, there would be substantial archaeological Conditions regarding but not limited to a written scheme of investigation, and a post investigation assessment.
- The Planning Manager was in discussion with healthcare providers regarding Community Infrastructure Levy and Section 106 funding for a doctors surgery to meet additional healthcare demands. However, it was cautioned that there was a shortage of doctors nationally, and that providers may be better satisfied by an alternative to public funding.
- There would be 10 bungalows in total, 4x1 bed and 6x2 bed. All of the development would satisfy Building Regulation M4(2) for accessible and adaptable dwellings.
- The Maltings development in Halesworth showed that there was a precedent for three-storey buildings in the vernacular.

At the invitation of the Chairman, the applicant's agent Rachel Clare addressed the Committee. Ms Clare explained that the proposed development aligned with the Local Plan and would provide downsizing opportunities in the town, which would consequentially enable vacated family dwellings to come to the market. The developer and Officers were diligently working together to satisfy the holding objections.

Ms Clare was invited by the Chairman to respond to questions from Members. In response to Councillor Cooper, Ms Clare advised that where parking spaces with charging points for electric vehicles were provided, the parking space would not be restricted only to electric vehicles. Councillors Coulam and Goldson sought clarification of the sustainability of the dwellings. Ms Clare explained that the sustainability of the dwellings would be aligned to a building principle of 'fabric first' and would be constructed in accordance with the Energy Statement provided, and Building Regulations. Councillor Ceresa was informed that the developer planned to commence on site during the first quarter of 2023, and that the phased construction timescale would be 12-24 months; and that the gross internal floor space of the apartments would range from 50 to 90 square metres. Councillor Goldson was assured that the developer would comply with the archaeological Conditions.

The Chairman acknowledged that the dwellings would satisfy M4(2) accessibility regulations, but queried whether any individual adjustments would be made by the developer to meet any specific needs of residents. Ms Clare responded that all dwellings would satisfy M4(2) regulations, however the individual needs of each resident could not be known in advance of construction.

There being no further questions to the applicant's agent, the Chairman called upon Members to debate the proposal. As Ward Member, Councillor Goldson opened the debate and acknowledged that the site had in the past proven difficult for developers to bring forward a feasible scheme. Vehicular access to the site was likely to be problematic, and the additional bus stop would arguably cause congestion, however the new pedestrian crossing was welcome. It was concerning that the proposal would

not provide sufficient parking and prospective purchasers may not want to give up their vehicles. Councillors Rudd and Plummer echoed the concerns around parking, however Councillor Pitchers countered that prospective purchasers would be aware of the parking provision and only those that were content would purchase a property. Councillor Coulam acknowledged that the proposal for a pre-school was welcome.

Councillors Ceresa, Cooper and Gee were concerned that the application appeared to be premature and sought assurance from the Planning Manager that the application as presented was sufficient. At the invitation of the Chairman, the Planning Manager explained that Officers were content with the application and that the information was sufficient for the Committee to make a robust decision. Members concerns about parking were acknowledged but had been fully considered in the report. Members were made aware that the applicant had previously submitted, but had withdrawn, an appeal for non-determination. The outstanding matters were technical in nature, Officers were confident that they would be resolved, and were not substantial enough to be a reason for a delay in determination.

Councillor Plummer commended the applicant's larger facility in Beccles which demonstrated the potential quality of the proposal, and concurred that the proposal presented an opportunity and choice for existing homeowners to downsize.

Councillor Cooper proposed that the application be approved, Councillor Pitchers seconded the proposal, the Chairman moved to the vote and it was by a majority

RESOLVED

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

Conditions:

A full suite of conditions and informatives are to be agreed upon receipt of all consultation responses. In summary, these will cover (but are not limited to) the following:

- Time limit for commencement of development – three years
- Reserved matters requirements and time limit for submission- two years
- Phasing plan
- List of approved drawings
- Age limit for residential use (60+ years)
- Details of materials and finishes
- Compliance with ecological mitigation measures
- Restriction on vegetation clearance
- Method statement for translocation of reptiles
- Lighting design strategy
- Ecological enhancement strategy
- Review of ecological receptors on site if development does not commence within three years (or suspended for more than 12 months)
- Archaeology – written scheme of investigation
- Archaeology – post investigation assessment

- Land contamination – full suite of standard conditions
- Cycle storage details and provision
- Bin storage details and provision
- Fire hydrants provision
- Details noise barrier and timing of instalment
- Landscaping scheme (inc. implementation and boundary treatments)
- Landscape management plan
- Detailed planting plans
- Arboricultural method statement
- Sustainable construction/energy saving measures
- M4(2) compliance
- Construction management plan (inc. restriction on hours)
- Electric vehicle charging points
- Highway conditions (tbc) – in relation to access, improvements to Swan Lane, provision of off-site pedestrian crossing upgrades at Swan Lane/Saxons Way, and all other technical requirements
- Drainage conditions (tbc) – drainage strategy and all other technical requirements

7 DC/22/3021/ROC - Lower Promenade, Pakefield, Lowestoft

The Committee considered report **ES/1335** which related to planning application DC/22/3021/ROC. The application sought permission for the removal of conditions 6 and 8 of planning permission DC/16/0590/VOC, which had granted consent for the erection of Beach Huts. The conditions related to the variation of size of previously approved huts and details of measures to be taken to remove any build-up of rubbish between and to the rear of the huts. The application had to be considered by the Committee as East Suffolk Council was both the applicant and landowner.

The Committee received a presentation from the Planner, who was the case officer for the application. The Planner explained that the conditions required the submission of additional information prior to the first installation of the beach huts. The development had already been carried out and those conditions could not be retrospectively discharged using the discharge of conditions application process. A location and block plan, an aerial photograph and contemporary photographs of the site were shown to the Committee.

Condition 6 concerned measures to be taken to remove any build up of rubbish between and to the rear of the huts; and details of proposals for the removal of any build up of sand, around the huts, particularly during the winter months. Officers considered that the details within the Management Plan submitted with the application in July 2022 were acceptable, and that it would ensure that the huts would be managed in an appropriate way by the Council.

Condition 8 required the submission of a plan to a scale of not less than 1:500 showing the size and position of each beach hut. Officers were satisfied that the application received in July 2022 included two Block Plans showing the size and position of each beach hut along the Lower Promenade, the spacing between each hut and their size was considered acceptable and the overall layout would not detract from the character and appearance of the area, nor the amenity of the users of the

Promenade. Officers therefore considered that the detail submitted within those drawings was acceptable.

Officers considered that condition 8 of approval DC/16/0590/VOC could therefore be removed and the drawings incorporated into condition 2 which detailed the approved plans and drawings. It was not considered appropriate to fully remove condition 6, but the wording of the condition would be amended to ensure that the huts were managed in accordance with the submitted and approved Management Plan. The Planner advised that the material planning consideration was whether the information submitted was sufficient to remove the need for conditions 6 and 8.

At the invitation of the Chairman Members asked questions of Officers. Councillor Ceresa sought clarification of the total number of huts that had been approved, and the Planner confirmed that 61 was the number approved. Councillor Pitchers had observed the build up of sand, and the dumping of waste in the area, and was concerned that rough sleepers were using the site. The Planner advised that the Management Plan was limited to the matters approved. In response to Councillor Ashdown, Officers confirmed that maintenance and upkeep of the site was the responsibility of East Suffolk Council and the Planning Manager undertook to escalate Members concerns separately to the Beach Front Manager.

There being no debate, the Chairman proposed that the application be approved, Councillor Ceresa seconded the proposal, the Chairman moved to the vote and it was unanimously

RESOLVED

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

Conditions:

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with drawing numbers 01/LT/PK/BH revision 0, 01/LT/BH/2 revision 0, 01/LT/BH/3-1 revision 0 and 01/LT/BH/3 revision 0 received 10 February 2016, 01/LT/PK/BH02 0 and 01/LT/PK/BH02 0, received 29/07/2022, and management plans, received 29/07/2022 for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

3. Prior to the first beach hut hereby permitted being brought into use the measures included in the Crime and Anti-social Behaviour Plan approved under application DC/16/0808/DRC shall be implemented in full.

Reason: to help prevent crime and anti-social behaviour in the area

4. Prior to the first beach hut hereby approved being brought into use, the provision and management for facilities of toilets and fresh water approved under

application DC/16/0808/DRC shall be implemented in full.

Reason: in the interests of the amenity of the area and users of the beach.

5. Prior to the first beach hut hereby approved being brought into use, the cycle parking provision approved under application DC/16/0808/DRC shall be implemented in full.

Reason: to promote sustainable modes of transport

6. The huts shall be managed in accordance with the submitted and approved Management Plan.

Reason: to ensure that litter does not accumulate around the beach huts, in the interests of visual amenity and fire safety.

7. Not more than 61 beach huts shall be installed on the site.

Reason: to clarify the nature of the permission.

The meeting concluded at 4.40pm

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Chairman