

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 18 October 2022 at 2.00pm.**

**Members of the Committee present:**

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tom Daly, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Kay Yule

**Other Members present:**

Councillor Paul Ashdown, Councillor Carol Poulter

**Officers present:**

Ben Bix (Democratic Services Officer (Regulatory)), Marianna Hall (Principal Planner), Matt Makin (Democratic Services Officer (Regulatory)), Danielle Miller (Senior Planner), Rachel Smith (Senior Planner), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Tony Cooper; Councillor Paul Ashdown attended the meeting as his substitute.

**2 Declarations of Interest**

No declarations of interests were made.

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

No declarations of lobbying were made.

**4 Minutes**

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

**RESOLVED**

That the minutes of the meeting held on 23 August 2022 be agreed as a correct record and signed by the Chairman.

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

The Committee received report **ES/1312** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 26 September 2022. At that time there were 15 such cases.

The Committee was advised that an enforcement notice had been served on 297 High Street, Walton and came into effect on 26 September 2022, with a three-month compliance period.

The Assistant Enforcement Officer (Development Management) noted that since the publication of the report, the High Court had awarded an injunction on the land adjacent to Oak Spring, The Street, Darsham as well as £8,000 costs.

There were no questions to the officers.

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

### **RESOLVED**

That the outstanding enforcement matters up to 26 September 2022 be noted.

## **6 DC/21/3237/FUL - Part of Former Crown Nursery, High Street, Ufford, IP13 6EL**

The Committee received report **ES/1313** of the Head of Planning and Coastal Management, which related to planning application DC/21/3237/FUL.

The application proposed the redevelopment of part of the former Crown Nurseries site on the edge of Ufford for business purposes. The Head of Planning and Coastal Management, under powers conferred by the Scheme of Delegation set out in the East Suffolk Council Constitution, had referred the application to the Committee for determination due to its significant public interest and potential impact on the environment.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined, and the Senior Planner detailed its immediate surroundings including the adjacent Goldsmiths housing development, which had been built on part of the site of the former Crown Nursery.

The Committee was advised that a planning application on the site was refused in 2018 and had been considered under the previous Suffolk Coastal Local Plan; an appeal to the Planning Inspectorate was made but was withdrawn before being heard.

The Senior Planner highlighted two triangular areas of green space adjacent to the site which had also formed part of the former Crown Nursery; these areas were not part of the application site and would be maintained to screen the development.

An aerial view of the site was displayed to the Committee, along with photographs demonstrating view north towards Yarmouth Road, north towards the Goldsmiths development (displaying the access to the site), from Yarmouth Road into and across the site, from the site access into the site, into Nursery Lane, existing nursery buildings on the site, and the planting area of the former Crown Nursery.

The Committee was shown the existing and proposed footprints of buildings on the site. The existing building floorspace was 1,472 square metres and the proposed replacement buildings would create 1,521 square metres of ground floorspace and 1,115 square metres of first floorspace. The Senior Planner considered the most relevant policy to the proposal was SCLP4.6, which related to the conversion of replacement of rural buildings for employment use, noting sub-paragraph (f) permitting development where the proposal was of a similar size and scale to the building that was being replaced.

The proposed site layout was displayed. The Senior Planner detailed the proposed building mix, landscaping, drainage and planting, which would be secured by planning conditions.

The Committee received the typical elevations for the proposed buildings, with the units described as all being similar in design, scale and appearance. The Committee was also shown the street elevations to Yarmouth Road and a site section along the new access road.

The Senior Planner displayed the floor plans for Units 1 and 2 (retail and cafe) and typical floor plans for the commercial units.

The main planning consideration was summarised as the principle of development. It was noted that there had been no technical objections from any other statutory consultee.

The recommendation to approve the application was outlined to the Committee.

The Chairman invited questions to the officers. It was confirmed that no residential properties were proposed by the application and that the applicant had sought pre-application advice. The Senior Planner advised that the proposed buildings would be just over eight metres in height, larger than the existing buildings on the site.

The Senior Planner set out the differences between the current application and the one refused in 2018, noting that the refused application had included a 20-bed care home, 34 dwellings and covered a larger area of the former Crown Nursery than what was proposed by the current application.

The Senior Planner acknowledged that whilst the proposed ground floorspace was comparable with the existing footprint of buildings on the site, the inclusion of the first floorspace resulted in a floorspace considerably bigger than what existed on the site.

The Committee was advised that the site had accommodated 15 jobs as Crown Nursery; the Senior Planner suggested that the applicant's agent, who would be

addressing the Committee, would be best placed to provide an estimate on the number of jobs that the proposed development would accommodate.

Regarding a question on the loss of an orchard area and its impact on wildlife, the Planning Manager (Development Management, Major Sites and Infrastructure) stated that an ecological survey was submitted as part of the application and had been reviewed by the Council's Ecologist; the Senior Planner added that the Ecologist had been satisfied with the survey and had recommended appropriate conditions.

The Chairman invited Mr Michael Morris, who objected to the application, to address the Committee. Mr Morris said that he and his family had moved to Ufford four years ago and had been drawn to the small village character of the area. Mr Morris noted the significant opposition in Ufford to the development and highlighted the amount of housing development that had already taken place in the village.

Mr Morris understood the need for housing but was of the view that the proposed development would ruin the character of Ufford, describing it as an outsized commercial site not required in the area. Mr Morris expressed particular concern about the large, illuminated car park that would be created, comparing it to the size of Co-op supermarkets in Woodbridge and Wickham Market and noting it would be larger than train station car parks in the area.

Mr Morris stated that the Goldsmiths development had redrawn the boundaries of Ufford, and this boundary should not be extended further by a development disproportionate to the size of the village, which would only benefit the developer. Mr Morris pointed out that Riduna Park in Melton still had vacant units five years after being developed, as did other office parks in the area, considering that these sites were better connected than Ufford. Mr Morris added that the development of another office park would be of detriment to Ipswich and that the village was already served by two convenience stores a short distance away.

The Chairman invited questions to Mr Morris. Mr Morris advised that the bus service to Ufford was approximately hourly and only operated in the day; Mr Morris said that he did not have the exact details to hand, but this information was publicly available.

The Chairman invited Councillor Kathryn Jones, representing Ufford Parish Council, to address the Committee. Councillor Jones said she had lived in Ufford for nearly 40 years and hoped that the Committee had read the letters of objection submitted by residents.

Councillor Jones highlighted that the Ufford settlement boundary had been amended by the Goldsmiths development and this site was being justified by being adjacent to the new boundary; Councillor Jones said if this continued Ufford would eventually merge into Melton.

Councillor Jones considered that the development would cause significant harm to the environment and considered the officer support of the development based on its economic and growth benefits should not be at the expense of the environment. Councillor Jones highlighted the comments of the Police on the potential increase of crime that would be caused by the development and was concerned about

the lack of a lighting mitigation strategy, citing the impact of the proposed lighting on wildlife and the village being "dark".

Councillor Jones was of the view that the application conflicted with policies SCLP4.2 and SCLP4.5 and that there was sufficient evidence that it was fully in accordance with SCLP4.6. Councillor Jones said the replacement buildings would not be like for like and the development would not be sustainable.

The Chairman invited questions to Councillor Jones. Councillor Jones advised that the Ufford Neighbourhood Plan was intended to be completed by the end of 2023.

The Chairman invited Mr Short, the applicant's agent, to address the Committee. Mr Short considered the proposals were in accordance with the Local Plan and the National Planning Policy Framework (NPPF), highlighting that the site had provided 15 jobs for 20 years and was previously developed land that should be developed again.

Mr Short said the application was an opportunity to bring back into use a site, that had ceased operating three years ago, as a small business park which would benefit the economy, service the community and provide employment opportunities. Mr Short considered the proposals to be attractively designed and would improve the appearance of the site, without impacting on the built and natural environment.

Mr Short emphasised that there had been no technical objections to the site and hoped that the Committee saw that the development was in accordance with local and national planning policies and approved it without delay.

The Chairman invited questions to Mr Short. Mr Short advised that the proposed floorspace would create approximately 50 jobs and that the proposed car park had been developed in accordance with the Suffolk County Council Parking Standards, the applicant having sought advice at the pre-application stage.

In respect of a question on the management of the green spaces adjacent to the application site, Mr Short said this would be managed, along with landscaping on the site, by a site management company that would be established by the applicant. Mr Short said that the area described as orchard was two rows of trees which had been used by the former Crown Nursery for educational purposes and reiterated that the Council's Ecologist was content with the plans submitted by the applicant.

Mr Short set out the community consultation that took place; leaflets were circulated and comments were invited via a website, with comments received being addressed as far as possible. Mr Short confirmed there had been no public meeting and that he and the applicant had attended the Ufford Parish Council meeting that had considered the application, with no direct discourse taking place.

Mr Short advised that disabled facilities would be included as part of the development.

The Chairman invited Councillor Carol Poulter, Ward Member for Ufford, to address the Committee. Councillor Poulter said she did not usually attend Planning Committee meetings as she was often content with officer recommendations but considered the reasons given to justify this application were fundamentally flawed. Councillor Poulter

emphasised that other office parks in the area, such as Riduna Park in Melton, were underutilised and said she could not see the rationale for creating more commercial units in Ufford.

Councillor Poulter highlighted the current economic climate and said there was no guarantee that the units would be viable and asked the Committee to consider what other speakers had said on the issue. Councillor Poulter expressed concerns about the impact of the development on wildlife and considered that the village character of Ufford would be destroyed if this development went ahead.

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

Several members of the Committee expressed concerns about the proposed development, citing its location outside the defined settlement boundary of Ufford and within the countryside. Councillors Yule and Deacon considered that the proposed buildings were not similar to what was being replaced and could not support the development of a commercial site in the countryside, highlighting its disproportionate size to the village and the large well-lit car park, and the increased vehicle movements the latter would bring, as areas of concern.

Councillor Hedgley was concerned about the potentially permanent impact of the development on the character of the area and was uncertain of the advantages the development would provide.

Other members of the Committee spoke in favour of the application, noting that green spaces on the former Crown Nursery site would be retained and considering that the application was policy compliant, highlighting the officer's conclusion that the application accorded with policy SCLP4.6 as it converted rural buildings for employment use and would provide facilities and employment, bringing a brownfield site back into use. Councillor Bird outlined that the use of land was evolutionary and stated the development accorded with Paragraph 11 of the NPPF, regarding the presumption in favour of sustainable development.

Councillor Blundell highlighted that the wider district should be considered when determining the application, outlining the significant development of settlements in East Suffolk over a long period of time; he considered this to be progress and that bringing the site back into use was positive.

In response to questions from Members, the Planning Manager confirmed that a demonstrable need for the provision was not required and noted East Suffolk's positive approach for developing employment sites, including windfall sites such as the one being considered. The Planning Manager said he was under the impression that Riduna Park, Melton was at near-full capacity in terms of occupation.

The Committee was advised by the Planning Manager that the parking provision had been developed by the applicant in accordance with the Parking Standards, calculated based on the proposed floorspace and Class E use of the site.

In response to points raised relating to the comments of the Design Out Crime Officer from Suffolk Constabulary, the Committee was advised that these comments had proposed a well-lit area to minimise anti-social behaviour and crime, noting that a balanced view needed to be taken to the comments. The Planning Manager reiterated that the Council's Ecologist had accepted the lighting approach proposed by the applicant subject to a condition that a lighting scheme be submitted.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application as set out in the report. This recommendation was proposed by Councillor Bird, seconded by Councillor Ashdown and on being put to the vote, the votes for and against were equal.

The Chairman exercised her casting vote in favour of the application, and it was

## **RESOLVED**

That the application be **APPROVED** subject to the controlling conditions as set out below.

Conditions:

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

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

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

- Drawing nos. PA12A, PA13A, PA14A, PA15B, PA16A, PA17A, PA18A, PA030E, Planning Statement, Sustainability Statement, Design and Access Statement and Archaeology Report received 6 July 2021;
- Drawing nos. PA002, PA20B, PA21C, PA22C, PA23B, PA24C, PA25B, PA36B, PA27C, PA29C received 26 July 2021;
- 'Response on LLFA comments on DC/21/3237/FUL dated 17th August 2021', Ingent, Surface Water Drainage Strategy, 2102-540\_001 B, 20/08/2021, Ingent, Surface Water Drainage Strategy Basin Sections, 2102-540\_003 A, 14/06/2021 and Ingent, Flood Risk Assessment and Drainage Strategy, 2102-540, June 2021 all received 20 August 2021;
- Air Quality Assessment report by Redmore Environmental (Ref. 4933r1 dated 22 October 2021) received 10 November 2021;
- Contaminated Land and Geotechnical Assessment by Nott Group (Ref. 73124/R/001 dated 3 November 2021) received 9 November 2021;
- Transport Statement and drawing no. 5523 PA003J received 9 August 2022;
- LSDP 1705.01A received 23 August 2022;
- Wildlife Lighting Strategy received 23 September 2022;

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 works on the erection of any new building hereby permitted shall proceed above slab level until details of the roof and wall materials and finishes to be used have been submitted to and approved in writing by the local planning authority.

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

4. Prior to the commencement of development, a Construction Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. Development shall then only proceed in strict accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

*Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase as well as ensuring noise, dust and light can be controlled in the interest of protection of neighbours' residential amenity.*

5. The premises herein referred to, shall be used for the following uses and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order), notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- Unit 1 – Use Class E(a)
- Unit 2 – Use Class E(b)
- Units 3 – 13 – Use Class E(g)(i)

*Reasons: For the avoidance of doubt as to what has been considered and approved and in order that the local planning authority may retain control over this development in the interests of amenity and the protection of the local environment.*

6. Prior to the installation of any fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant), a noise assessment shall have been submitted to and approved in writing by the local planning authority. Only the approved equipment shall be installed and it shall be retained in its approved form thereafter. The noise assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

*Reason: In the interest of residential amenity and protection of the local environment: tonal noise can be annoying and disruptive.*

7. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details of -

- i) The proposed filtration plant;
- ii) Its ducted route through the building, and
- iii) Its final discharge point 1 metre above roof level;

shall be submitted to the Local Planning Authority for approval. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be retained and maintained in the approved form thereafter.

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

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 the Land Contamination Risk Management (LCRM).

*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 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.*

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) 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. Prior to the occupation of each unit hereby permitted, proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation and shall be retained thereafter. There shall be no burning of waste, either liquid or solid undertaken on site.

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

13. The premises hereby permitted shall not be occupied or used by staff or visitors other than between the hours as set out below for each unit:

- Unit 1 - 7.00am until 8.00pm Monday to Friday, 7.00am until 9.00pm Saturdays and 8.00am until 8.00pm Sundays and Bank Holidays
- Unit 2 - 7.00am until 8.00pm Monday to Saturdays and 8.00am until 8.00pm Sundays and Bank Holidays
- Units 3 - 13 inclusive - 8.00am until 6.00pm Monday to Friday and 8.00am until 4.00pm Saturdays with no working or opening on Sundays or Bank Holidays.

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

14. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. 5523 PA003 Rev J. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.*

15. All HGV delivery traffic movements to and from the site once the development has been completed, shall be subject to a Deliveries Management Plan which shall be submitted and approval in writing to the Local Planning Authority for approval. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. This should include the timing of deliveries and collection of goods which is recommended to be restricted to weekdays between 08.00 and 18.00 hours.

*Reason: In the interests of highway safety, to ensure adequate servicing arrangements are provided for and to reduce or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas and to protect the residential amenity of neighbouring residents.*

16. The use shall not commence until the area(s) within the site shown on drawing no. 5523 PA003 Rev J. for the purposes of loading, unloading, manoeuvring and parking of vehicles has /have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

*Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or*

*loading, unloading and manoeuvring would be detrimental to the safe use of the highway.*

17. Prior to commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

18. Notwithstanding the locations set out in plan 5523 PA003 Rev J, prior to the commencement of development, details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. Charge points shall be Fast (7-22KW) or Rapid (43KW) chargers.

*Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies and to minimise emissions and enhance local air quality.*

19. Prior to development of any new building proceeding above ground floor slab level, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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 promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019).*

20. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA). Thereafter, only the approved scheme shall be implemented and retained in its approved form.

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

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

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

22. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister>.*

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

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

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

24. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, July 2021) 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.*

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

*Reason: To ensure that nesting birds are protected.*

26. Prior to any construction above slab level, precise details of the exact lighting to be installed shall be submitted to and approved in writing by the local planning authority so that it can be clearly demonstrated that areas to be lit will not impact on protected species. The exact details of all external lighting shall be in accordance with the Wildlife Lighting Strategy (MHE Consulting) submitted with the planning application, and shall be maintained thereafter in accordance with the Strategy and the approved details. 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 (particularly bats) from external lighting are prevented.*

27. Development (including demolition) of any of the existing buildings on site identified as containing bat roosts 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 demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; 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.*

28. 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.*

29. Prior to commencement of development, details of fire hydrants to be installed within the development shall have been submitted to and approved in writing by the local planning authority. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Only the approved scheme shall be implemented and retained in its approved form thereafter.

*Reason: In the interests of safety, to ensure there is sufficient infrastructure in the event of emergency.*

30. Notwithstanding the submitted drawing, within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, carpark and footpath areas, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

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

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

32. No development shall commence until there has been a management plan for maintenance of the open spaces to include the access drive, the associated landscaped areas, car parking and the open space submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

*Reason: To ensure the site is properly maintained in the interest of visual amenity.*

33. Prior to first occupation and/ or use of the hereby permitted development a British Research Establishment Environmental Assessment Method (BREEAM) New Build Post Construction Stage (PCS) final rating and certificate of assessment demonstrating the development achieved the 'Very Good' standard or equivalent shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

*Reason: To ensure the development complies with Planning Policy SCLP9.2.*

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. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution.

The following points should be noted for consideration prior to detailed design and/or the submission of any discharge of conditions application:

i. Infiltration testing must be completed, in full accordance with BRE365 methodology at the location and depth of proposed SuDS to determine any infiltration potential. The testing submitted with DC/21/3237/FUL is not compliant with BRE365 methodology as it uses extrapolated data for all but one of the test runs

ii. Consideration should be given to the use of source control SuDS where site constraints (gradient and layout) allow. Consideration should specifically be given to permeable paving in parking areas where gradients are no greater than 1:20. Rain gardens should be considered in the areas of green space already identified adjacent parking areas

iii. The detailed landscaping of SuDS

iv. Dependant on the detailed landscaping design, these SuDS may be adoptable by Anglian Water, with the landscape aspect being managed and maintained by a maintenance company under agreement with Anglian Water, who would be responsible for the asset as a 'surface water sewer' with respect to flood risk and treatment of surface water

v. The current hydrobrake orifice size of 79mm is lower than the recommended minimum by SCC LLFA. However, given the proposed upstream SuDS, which includes larger orifices, the risk of blockage is reduced. Infiltration testing may highlight some losses through infiltration which could reduce the design head and in turn allow for an increase in orifice size.

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

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

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb>.  
or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence>.

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

4. The applicant's attention is drawn to the comments from the Suffolk Police Designing Out Crime Officer. It is advised that comments and suggestions made within this letter are incorporated into the scheme design where possible.

5. The applicant's attention is drawn to the comments received from Suffolk Fire and Rescue Service recommending that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

*Following the conclusion of this item, the Chairman adjourned the meeting from 3.17pm to 3.23pm for a short break.*

## **7 DC/22/1117/FUL - Low Farm, Ipswich Road, Waldringfield, IP12 4QU**

The Committee received report **ES/1314** of the Head of Planning and Coastal Management, which related to planning application DC/22/1117/FUL.

The application site related to Low Farm Campsite located just outside the settlement boundary for Waldringfield on Ipswich Road. The application sought to regularise the position regarding to the current level of use, which was 70 pitches; as well as to create a new access off Ipswich Road.

The application was presented to the Planning Referral Panel on 17 September 2022 as officers were 'minded to' approve the application contrary to Waldringfield Parish Council's objection. The Planning Referral Panel concluded that there were material planning considerations which warranted discussion by Members and referred it to the Committee for determination.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The Senior Planner summarised the late representations received from Waldringfield Parish Council, which continued to have concerns on the access, the adequacy of the traffic survey and the proposed hedge removal.

The site's location was outlined and the Committee was advised of the uses of the wider site for holiday lets, residential properties and a residential caravan benefitting from a certificate of lawful use.

The Committee was shown an aerial photograph of the site which detailed an easement for underground cabling related to a windfarm and the site access from

Ipswich Road. The Senior Planner noted the site's proximity to the defined settlement boundary of Waldringfield.

The Senior Planner recounted the planning history on the site, where permission had been granted for a maximum of 35 pitches. The Committee was advised that the site had operated over this capacity since planning permission had been granted and was informed of subsequent planning permission for amenity facilities on the site.

The Committee was shown aerial images of the site from 1945, 2000 and 2007 which demonstrated the intensification of the site.

The Committee received photographs of the site and surrounding area, showing views west and east on Ipswich Road, the existing access to Low Farm, the location of the proposed new access, existing site facilities, and the camping area on the site.

The Senior Planner displayed a map of the campsite arrangements and outlined the access details. The applicant had commissioned a traffic survey in October 2020, submitted as part of the application, which the Highways Authority had found acceptable at the pre-application stage. The Senior Planner noted that the Highways Authority did not concur with the concerns of Waldringfield Parish Council regarding the proposed access.

The planting layout was shown to the Committee and the Senior Planner outlined the replacement hedge planting proposed to mitigate the loss of existing hedgerow, to accommodate the proposed access. These proposals had been considered by the Council's Design & Conservation and Area of Outstanding Natural Beauty (AONB) officers and found to be acceptable.

The main considerations were summarised as the principle of development and landscape impact, access onto Ipswich Road, the impact on the AONB, and the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

The recommendation to approve the application was outlined to the Committee.

The Chairman invited questions to the officers. It was established that the traffic survey commissioned by the applicant had taken place out of the campsite's operating period. The Senior Planner confirmed that a proposed condition would fix the campsite's operating period to what was currently taking place.

The Senior Planner stated she concurred with the findings of the Highways Authority regarding the proposed access.

In respect of a question about the impact of Brightwell Lakes on traffic movements, the Planning Manager (Development Management, Major Sites and Infrastructure) stated this would have been taken into account when the proposals were considered by the Highways Authority and that it was anticipated that the number of traffic movements from Brightwell Lakes into Waldringfield would be limited.

The Senior Planner explained that Low Farm only accommodated touring caravans and no static caravans remained on site. Touring caravans were limited to a maximum occupancy of 56 days.

The Committee was advised that the replacement planting would be slightly back from the current hedge location, behind the visibility splays.

The Chairman invited Mr Short, the applicant's agent, to address the Committee. Mr Short explained that Low Farm was an established site and had been active since the 1980s, with the camping initially adjunct to the farming on the site. Mr Short said that the application was a reactive measure to current events to regularise the existing use of the site and add an additional site access for the campsite only, which would segregate camping traffic from the existing access.

Mr Short noted there had been previous incursions into the hedgerow bordering Ipswich Road, resulting from the underground cabling that had taken place on the site.

Mr Short considered that the applicant had worked with officers from the Council and the Highways Authority throughout the application process to develop an acceptable scheme and noted that the application was supported by officers.

The Chairman invited questions to Mr Short. Mr Short confirmed that a serviced pitch was a pitch with an electrical hook-up supply.

The Chairman invited the Committee to debate the application that was before it. Councillor Ashdown considered the officer's report to be comprehensive and was of the view that the proposals seemed sensible.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application as set out in the report. On the proposition of Councillor Ashdown, seconded by Councillor Deacon it was by a unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the conditions set out 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 4187-02B; 294-001-100revA02; LVIA; Planning Statement received 22.03.22 and Ecology Report (MHE Consulting, May 2022); 4187.02C received 5.4.22, 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 new access shall not be used by vehicular traffic until it has been laid out and completed in all respects in accordance with drawing no. 294-011-100 A02 with an entrance width of 6 metres. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.*

4. The new access onto the highway shall not be used by vehicular traffic until it has been properly surfaced with a bound material for a minimum distance of 15 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.*

5. Gates/bollard/chain/other means of obstruction to the access shall be set back a minimum distance of 15 metres from the public highway and shall not open towards the highway.

*Reason: To avoid unacceptable safety risks and traffic delay arising from vehicles obstructing the public highway while the obstruction is removed or replaced by enabling vehicles to clear the highway while this is done.*

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

*Reason: To prevent hazards caused by flowing water or ice on the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.*

7. Before the access is first used visibility splays shall be provided as shown on Drawing No.294-011-100 A02 with an X dimension of 2.4 metres and a Y dimension of 59 metres to the nearside edge of the carriageway 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 re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

*Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.*

8. Proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation.

No burning of waste, either liquid or solid, shall be undertaken on site.

*Reason: In the interest of health and safety and public amenity.*

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, May 2022) 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, rubs, brambles, ivy 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 later than 3 months after clearance of the existing hedge, full details of a replacement planting scheme shall be submitted to the planning authority for approval. Details shall include hedging and tree species suitable for the prevailing growing conditions and landscape character, plant sizes, planting methodology (including mulching) and protection measures, and maintenance proposals for the first five years after planting. The approved planting proposal shall be implemented in the first autumn planting season after completion of the new access.

*Reason: In the interests of mitigating proposed hedgerow removal and maintaining prevailing landscape character.*

12. 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 tree and hedgerow.*

13. The number of touring caravans or tent pitches shall not exceed 70 in total at any one time unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To help conserve and enhance the special qualities of the Suffolk Coast & Heaths AONB near Waldringfield.*

14. The site shall not be used other than for the stationing of touring caravans or tents for use for holiday purposes. Any caravans on the site must be capable of being towed by a motor vehicle on the public highway. No caravan shall remain on site for more than a total of 56 days in any calendar year and all caravans shall be removed from the site when not being occupied for holiday purposes.

*Reason: In order that the Local Planning Authority may retain control over this particular form of development in the interests of amenity.*

15. The campsite shall operate only between the months of April and September.

*Reason: In order to protect any rise to any impacts during the winter period when the estuary supports many of its overwintering bird citation features.*

16. No external lighting shall be installed 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.*

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. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence>. County Council drawings DM01 - DM14 are available from: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings>. A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

3. It is unclear whether the development will involve a connection to the mains, or a private water supply. If the development involves connecting to an existing private water supply, or the creation of a new private water supply, advice should be sought from the Environmental Protection Team prior to commencing works. All works undertaken must comply with the Private Water Supplies Regulations 2016 (as amended).

The meeting concluded at 3.43pm.

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Chairman