



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

# **Strategic Planning Committee**

## **Members:**

Councillor Paul Ashdown (Chairman)  
Councillor Debbie McCallum (Vice-Chairman)  
Councillor Melissa Allen  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Jocelyn Bond  
Councillor Norman Brooks  
Councillor Jenny Ceresa  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Mike Deacon  
Councillor Graham Elliott  
Councillor Tony Fryatt  
Councillor Andree Gee  
Councillor Colin Hedgley  
Councillor Malcolm Pitchers  
Councillor David Ritchie  
Councillor Craig Rivett  
Councillor Kay Yule

Members are invited to a **Meeting of the Strategic Planning Committee**  
to be held on **Monday, 14 September 2020 at 10.30am**

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/Lg9VVxPBJw8>

An Agenda is set out below.

## **Part One – Open to the Public**

	<b>Pages</b>
<b>1 Apologies for Absence and Substitutions</b>	
<b>2 Declarations of Interest</b> 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.	
<b>3 Minutes</b> To confirm as a correct record the Minutes of the Meeting held on 4 June 2020.	<b>1 - 7</b>
<b>4 Structure and Process of the Referral Panel ES/0483</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>8 - 10</b>
<b>5 Enforcement Performance Report - April to June 2020 ES/0484</b> Report of the Head of Planning and Coastal Management	<b>11 - 13</b>
<b>6 Development Management Performance Report ES/0485</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>14 - 16</b>
<b>7 Planning Appeals ES/0486</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>17 - 30</b>
<b>8 Planning Policy and Delivery Update ES/0487</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>31 - 34</b>
<b>9 Strategic Planning Committee's Forward Work Programme</b> To consider the Committee's Forward Work Programme	
<b>10 Use Classes Order and Permitted Development</b> To receive a presentation from the Planning Manager (Development Management)	

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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[democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk)



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Minutes of a Meeting of the **Strategic Planning Committee** held Remotely on **Thursday, 4 June 2020 at 10.30am**

**Members of the Committee present:**

Councillor Melissa Allen, Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor Tony Fryatt, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

**Other Members present:**

Councillor Peter Byatt, Councillor TJ Haworth-Culf, Councillor Steve Wiles

**Officers present:**

Liz Beighton (Planning Manager - Development Management), Sarah Carter (Democratic Services Officer), Matt Makin (Democratic Services Officer), Desi Reed (Planning Policy and Delivery Manager), Philip Ridley (Head of Planning and Coastal Management), Nicola Wotton (Deputy Democratic Services Manager)

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**1 Apologies for Absence and Substitutions**

An apology for absence was received from Councillor Brooks.

**2 Declarations of Interest**

Councillor Bird declared a Local Non-Pecuniary Interest as Chairman of Felixstowe Town Council's Planning and Environment Committee.

For reasons of openness and transparency, Councillors Ashdown, Ceresa, Fryatt and McCallum declared a Local Non-Pecuniary Interest in Agenda Item 5 as being members of the Referral Panel by virtue of being Chairmen and Vice-Chairmen of Planning Committee North/South.

**3 Minutes**

**RESOLVED**

That the Minutes of the meeting held on 9 March 2020 be confirmed as a correct record and signed by the Chairman.

#### **4 How the Planning Service has Adapted during the Covid 19 Emergency**

The Cabinet Member for Planning and Coastal Management introduced report ES/0386 and advised that he was very proud of the response of the officers in Planning to the Covid 19 emergency. He was pleased to announce that all planning applications had received consideration and decisions made and the Policy Team had continued to work from home. With assistance from the Monitoring Officer, Planning Advisory Panels were set up as an interim arrangement; they had proved to be satisfactory and now temporary legislation had been put in place to allow statutory Committees to take place remotely. Two Planning Committees had now been held and the Cabinet Member for Planning and Coastal Management thanked the officers involved and behind the scenes in Democratic Services and ICT for their work in the setting up. He was pleased to see that the Chairmen for Planning Committee North and South had made it clear how the meetings were going to operate.

The Head of Planning and Coastal Management reported that his Teams were all well and safe and with everyone working remotely from home, they had all been trying to provide a business as usual service. The next stage would be looking at returning to the offices in due course. The report before Members covered the work of the Advisory Panels and he expressed thanks to Members for their help and support in providing advice to him. The Advisory Panels had met several times through April and May and had considered 37 planning applications. The first two remote meetings of the Planning Committees, North and South, had worked well.

Members commented that everyone had coped well with the new processes and sought clarification on the changes made to the Constitution. The Head of Planning and Coastal Management explained that the emergency procedures put in place had now been revoked and the Constitution had been changed on the commencement of Planning Committees with the procedures outlined for virtual meetings. The scheme of delegation would operate as previously set out prior to the Covid 19 emergency. Further questions were raised with regard to the lack of enforcement action, site visits and the posting of site notices.

The Head of Planning and Coastal Management advised that site visits for enforcement were now being undertaken where necessary, at the same time taking care not to put staff or the public at risk. Government had removed the requirement for site notices to be posted; as a result, notification of proposals were being sent to more neighbours in the vicinity of the site.

The Planning Manager explained that her Team was beginning to undertake site visits following appropriate health and safety checks and contact with applicants/agents. Such activity was being reviewed on a week by week basis. With regard to the lists of consultees, the system for neighbour and town/parish letters being shown as consultees was in place and on the website.

As a Member of the Advisory Panel, Councillor Deacon expressed thanks to the Planning Officers for operating as best possible under difficult times. The Head of Planning and Coastal Management confirmed the comment would be passed on to his Teams.

**RESOLVED**

That the content of the report relating to the Planning Service during the Covid 19 Emergency be noted.

**5 Review of the Planning Application Referral Process to determine which Applications are considered by the relevant Planning Committee**

The Cabinet Member for Planning and Coastal Management introduced report ES/0387 which was to provide a review of the Planning Application Referral Process after its first year of operation at East Suffolk Council. The data before Members indicated that it was a satisfactory process that had been working well. He invited his Assistant Cabinet Member to address the Committee.

The Planning Manager reminded Members that a new scheme of delegation had been brought into force in April 2019 for East Suffolk Council, aligning the former authorities of Suffolk Coastal and Waveney District Councils. The scheme set out the means by which applications could be determined and clarified which applications would be determined by the Head of Planning and Coastal Management under delegated powers and which applications would be referred to the Planning Committee for consideration. Paragraph 2.3 of the report outlined the process and the reasons by which a planning application would be referred to the Referral Panel. The Chairmen and Vice-Chairmen of the Planning Committees formed the Referral Panel and were furnished with a report and presentation on the applications for their consideration. At the conclusion of each meeting, the Ward Member(s), Town/Parish Council and Applicant(s) were notified of the outcome.

The Planning Manager explained that, from 1 April 2019 to 31 March 2020, a total of 2,291 planning applications had been determined by the Council, with 295 being presented to the Referral Panel because of various comments made by the relevant Town or Parish Council and also County Highways. Ward Member input had triggered only 12 of the applications considered by the Referral Panel. Full details of the 295 applications considered by the Referral Panel were appended to the report. The Referral Panel had referred 36 applications to Committee for determination. In the same period, 39 applications were submitted straight to the Planning Committees giving a total of 75 applications presented to Committee, 43 to the Planning Committee North and 32 to the Planning Committee South.

It was considered that the Referral Panel process had worked well and should continue in its current form, with an annual monitoring report being submitted to the Strategic Planning Committee.

The Assistant Cabinet Member for Planning and Coastal Management advised the Committee that he had regularly attended the Referral Panel meetings as an observer. The consideration of the applications had been undertaken in detail and in his view, the process was not resulting in a cut back on the number of applications going to Committee; it was a necessary process so as to ensure that decisions were taken in a timely fashion and that 12 or more applications were not considered by Committee every month. He reminded the Committee that all Members were entitled to attend Referral Panel meetings as observers and that Ward Members should consider commenting on applications at the appropriate time during the consultation period.

Concern was expressed over the lack of Councillor involvement and it was suggested that Ward Members should be commenting on all applications in their area. No comment showed some weakness in the system and Ward Members needed to be involved. It was suggested that the trigger for referral should be amended to read contrary to Town/Parish Council “and Ward Member” so that a Ward Member had to comment. It was also proposed that the decision of the Referral Panel should be made known to the Ward Member before the decision was published. Consideration should also be given to not undermining public understanding; the Referral Panel was only advisory. Members should be able to call-in an application if they so wished. Comment was made that Town/Parish Councils did not always understand the participation process and sometimes just said ‘refuse’ with no additional comments being made which would allow the Referral Panel to understand the reasoning.

The Planning Manager explained that the Planning Service had held a number of Town and Parish Forums and undertaken Member Training so the process was well known. It was, therefore, hoped there would be no lack of confidence in the planning system. The process would be reiterated at subsequent training sessions.

The Head of Planning and Coastal Management explained that the opportunity was available for Ward Members to comment. Responses from Ward Members at the consultation stage provided valuable early input and assisted the officers in preparing their reports, as well as supporting the smooth running of the planning system. There was no reason why Ward Members could not attend a Referral Panel meeting, via Skype or Zoom, to observe. He referred to other reports on the Agenda in that performance was good, complaints were few and appeals had been defended; there should be confidence in the planning system and its operation.

The Cabinet Member for Planning and Coastal Management explained that he had been involved with the planning service for a number of years and had found there to be no issues with the service provided.

**Note:** Due to a technical issue, the meeting was adjourned at 11.36am and reconvened at 11.44am.

Having been duly proposed and seconded, a vote was taken on the recommendation and it was

## **RESOLVED**

1. That the content of the report be noted and the Referral Panel process be maintained in its current form.
2. That the officers be requested to provide the Strategic Planning Committee with a yearly report on the Referral Panel.

**Note:** The meeting was adjourned at 11.49am for a comfort break and reconvened at 11.55am.

## **6 Enforcement Performance Report - January to March 2020**

The Cabinet Member for Planning and Coastal Management introduced report ES/0388 which provided information on the performance of the Enforcement Section from January to March 2020. He made reference to the fact that four enforcement notices had been served during that period, three of which were on the same site.

The Planning Manager advised that the statistics were self-explanatory, with 106 cases having been received and 93 closed. Although the vast majority were found to have no actual planning breach, the cases had taken a significant amount of officer time.

The Ward Member for the case at Weston had received a communication from a family member and requested the officers liaise with him before any further action was taken.

There being no further discussion, it was

### **RESOLVED**

That the report concerning the Enforcement Team statistics be received and noted.

***Note:** Due to technical issues, Councillor Ceresa left the meeting at 12.07pm and re-joined at 12.09pm.*

## **7 Development Management Performance Report**

The Cabinet Member for Planning and Coastal Management explained that report ES/0389 provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications. The report showed that performance continued at a high level and that decisions were made in a timely fashion. He expressed thanks to all concerned and also to the Planning Support Team for their work behind the scenes.

The Planning Manager explained that the service was monitored by the Government on the 8 week and 13 week decision timescales. She drew particular attention to paragraph 2.5 in the report which showed that all targets, bar one, had been met. In response to a question relating to staffing levels, the Planning Manager explained that the team was short by two members and the structure was currently under review.

Members expressed their thanks for the good performance and it was

### **RESOLVED**

That the content of the report relating to Development Management Performance be received and noted.

## **8 Planning Appeals**

The Cabinet Member for Planning and Coastal Management advised that report ES/0390 provided an update on all appeal decisions received from the Planning Inspectorate between 22 February and 12 May 2020. In his opinion, there were no



disturbing trends and the Planning Inspector had upheld all decisions bar one. That appeal had been allowed; a learning process to consider and take forward.

The Planning Manager advised that there were no areas of concern and there was, therefore, confidence that applications were looked at diligently. On some appeal decisions that were overturned, it was considered that the Inspector had just reached a different conclusion to officers on those cases.

Members expressed thanks to the officers for their diligent work and there being no further discussion, it was

#### **RESOLVED**

That the content of the report relating to Planning Appeals be noted.

### **9 A Review of Compliments, Comments and Complaints received in The Planning Service between April 2019 to March 2020**

The Cabinet Member for Planning and Coastal Management introduced report ES/0391 which provided a review of the compliments, comments and complaints received in the Planning Service during the first year of East Suffolk Council. It was pleasing to note that out of 60 Stage 1 complaints only three were found to be justified. Out of six Ombudsman cases, at the present time only one had been upheld.

The Head of Planning and Coastal Management referred to the content of the report and the three stage process that was in place for complaints. He highlighted the fact that eight formal compliments had been received recognising the good service provided by the Teams and individual officers. He stressed the importance of being consistent in undertaking processes and the scrutiny of the Council's planning service was, and would continue to be, high profile.

The Head of Planning and Coastal Management drew members attention to paragraph 30 in the Appendix to the report and the specific detail emphasised by the Ombudsman in assessing his conclusions of the case. Going forward, it was recognised that any actions taken by the Council were open to scrutiny.

#### **RESOLVED**

That the content of the report relating to the Compliments, Comments and Complaints received by the Planning Service be received and noted.

### **10 Planning Policy and Delivery Update**

The Committee received report ES/0392 which provided an update on the emerging Local Plan for the former Suffolk Coastal area, progress on Neighbourhood Plans and key elements of the current work programme. The Cabinet Member for Planning and Coastal Management introduced the report and gave a brief outline of the content before inviting the Planning Policy and Delivery Manager to go through the detail.

With regard to the Suffolk Coastal Local Plan, the Planning Policy and Delivery Manager advised that the Local Plan Examination was now at an advanced stage and the Main

Modifications were currently out for consultation. Although the Inspector would not be commenting on them, an Addendum to the Sustainability Appraisal Report and updated Habitat Regulations Assessment of the modifications had also been published for comment. So that no one was disadvantaged, the consultation period had been extended to 10 weeks ending on 10 July 2020 and hard copies were being provided to those who could not access them on-line. At the end of the consultation period, the Inspector would consider the feedback and then, all being well, finalise his Report. Based on current timings, it was anticipated that the Plan would be presented to Full Council in September 2020 for adoption.

The Planning Policy and Delivery Manager advised that a significant number of Neighbourhood Plans were being progressed and supported across the District. Nine Plans had been adopted, three were under examination and a further 21 in preparation.

The Planning Policy and Delivery Manager also drew attention to paragraph 4 in the report which gave details of the other key work being undertaken by her Team, some of which were major projects and project milestones that were kept under constant review.

Members expressed thanks to the Planning Policy and Delivery Team for their continued hard work under challenging circumstances. It was noted that there would be up to date Local Plan coverage for the whole District before the end of the year.

#### **RESOLVED**

That the content of the Planning Policy and Delivery Update report be noted and endorsed.

### **11 Strategic Planning Committee's Forward Work Programme**

The Committee noted its Work Programme as circulated and comments were invited.

It was proposed by Councillor Cooper, seconded by Councillor Ritchie, that a report looking at the structure and process of the Referral Panel should come back to Committee to address any issues that had been previously raised.

The Head of Planning and Coastal Management undertook to have discussions with the Referral Panel and present a report to the September meeting of this Committee.

#### **RESOLVED**

That the Work Programme be noted and updated accordingly

The meeting concluded at 12.30pm

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Chairman



## STRATEGIC PLANNING COMMITTEE

Monday, 14 September 2020

### STRUCTURE AND PROCESS OF THE REFERRAL PANEL

#### EXECUTIVE SUMMARY

1. This report provides an update to Members on the Referral Process following the Strategic Planning Committee meeting in June 2020

<b>Is the report Open or Exempt?</b>	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Manager (Development Management) 01394 444778 <a href="mailto:Liz.beighton@eastssuffolk.gov.uk">Liz.beighton@eastssuffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 This report provides an update to Members on the Referral Process following the Strategic Planning Committee meeting in June 2020.

## **2 THE REFERRAL PROCESS**

- 2.1 The Strategic Planning Committee in June 2020 considered a report by the Planning Portfolio Holder which provided a review and analysis of all the decisions in the year from April 2019 to April 2020.
- 2.2 The contents of the report were noted and accepted by the Committee. It was also agreed that a yearly report on the Referral Process would be presented on a yearly basis to the Committee.
- 2.3 At the same Committee meeting, Members considered a report on the Future Work Programme of the Strategic Planning Committee. The minutes of that discussion recorded the following:

*It was proposed by Councillor Cooper, seconded by Councillor Ritchie, that a report looking at the structure and process of the Referral Panel should come back to Committee to address any issues that had been previously raised.*

- 2.4 The following work has been undertaken since the June 2020 meeting with regards to the referral process to proactively deal with some of the issues which were raised by Members of the Committee.
- 2.5 All Ward Members are notified of items within their wards which are being considered by the Referral Panel in advance of the meeting and invited to attend and listen in to the meeting should they wish. To join the meeting Members will need to make contact with the planning officers to be provided with the Skype details.
- 2.6 Remote training has been provided to all Town and Parish Councils (and also circulated to all Members) on how best to frame consultation responses to stand the best chance possible of the Referral Panel to consider referring the item to the Planning Committee.
- 2.7 Member training was held virtually on the 6 August 2020 at which the Head of Planning Services and Planning Manager re-affirmed the referral process to Members and positively encouraged their engagement in the consultation process and also attending and viewing the Panels. For record, from the 12 May 2020 until the 25 August, there have been four instances of Members commenting on planning applications within the prescribed consultation period out of the 62 items which has been considered. During the same time period, the Panel have referred 12 items to the Planning Committee for consideration.
- 2.8 Parish Councils and Ward Members are being notified of the Referral Panel outcome once the meeting has been concluded with a record of the communication being uploaded electronically for public inspection. Likewise, the copies of the reports and PowerPoint presentations are also being uploaded electronically.

### **3 REASON FOR RECOMMENDATION**

3.1 This report is for information only.

#### **RECOMMENDATION**

That the content of the report is noted.

**BACKGROUND PAPERS** – None



## STRATEGIC PLANNING COMMITTEE

Title of Report:

ENFORCEMENT PERFORMANCE REPORT – APRIL TO JUNE 2020

Meeting Date

14 SEPTEMBER 2020

Report Author and Tel No

Cate Buck  
01394 444290

Is the report Open or Exempt?

Open

## REPORT

To provide information on the performance of the enforcement section

## RECOMMENDATION

That the report concerning Enforcement Team statistics be received.

## 1. Background

1.1 Following the adoption of the new Local Enforcement Plan in March 2019 and the formation of the new East Suffolk Council section it was decided that a report be presented on a quarterly basis from August 2019.

1.2 Between April and June 2020, one Enforcement Notices were served.

### Cases Received and Closed April to June 2020

<u>Month</u>	<u>Cases Received</u>	<u>Cases Closed</u>
April	18	9
May	29	9
June	46	15

\*Please note all new complaints are logged, site visited and then triaged in accord with the appropriate risk assessment.

### Reasons for Closure

<u>Reason</u>	<u>April</u>	<u>May</u>	<u>June</u>
No Breach	2	2	6
Compliance/use ceased	2	2	2
Planning Permission Granted	3	3	2
Permitted Development	2	1	4
Immune/Lawful	0	0	0
Duplicate file	0	1	1
Withdrawn	0	0	0
Not Expedient	0	0	0

### Time taken to close cases

<u>Time taken to close cases</u>	<u>Cases Closed in April</u>	<u>Cases Closed in May</u>	<u>Cases Closed in June</u>
<u>1-10 days</u>	1	3	4
<u>11-20 days</u>	1	1	3
<u>21-30 days</u>	0	1	0
<u>31-40 days</u>	0	0	0
<u>41 + Days</u>	7	4	8
<u>Total</u>	9	9	15

**Enforcement Notices Served April to June 2020**

<b><u>Type of Notice</u></b>	<b><u>Address</u></b>	<b><u>Breach</u></b>	<b><u>Compliance period</u></b>
EN	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	2 Months

**BACKGROUND PAPERS** – None





## STRATEGIC PLANNING COMMITTEE

Monday, 14 September 2020

### DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

#### EXECUTIVE SUMMARY

1. This report provides an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Manager (Development Management) 01394 444778 <a href="mailto:Liz.beighton@eastssuffolk.gov.uk">Liz.beighton@eastssuffolk.gov.uk</a>
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## 1 INTRODUCTION

- 1.1 This report provides details on the determination timescales for all planning applications at East Suffolk Council when tested against the government set timescales as well as the East Suffolk Council stretched targets.
- 1.2 The Key Performance Indicators (KPIs) are reported on a quarterly basis and included within the East Suffolk Council performance report and tested against the Council's Business Plan.

## 2 PERFORMANCE STATISTICS

- 2.1 The breakdown for Q1 (April through to end of June 2020) is reported as follows:

	Q1 Percentage	Q1 Total	Targets
Major Development	87.5%	(7/8)	60% national 65% stretched
Minor Development	89%	(138/155)	65% national 75% stretched
Other Development	89%	(314/352)	80% national 90% stretched

- 2.2 For reference, in the same period last year (April 2019 to June 2019) the Council provided the following statistics

	Q1 Percentage	Q1 Total	Targets
Major Development	100%	13/13	60% national 65% stretched
Minor Development	67%	104/154	65% national 75% stretched
Other Development	85%	437/516	80% national 90% stretched

- 2.3 The figures for Q1 of the financial year are promising and show a continued intent to issue decisions in a timely manner. The national performance indicators have been met in all categories and with the exception of 'others' the internally stretched targets have been met. Members will note that there has been a marked increase in performance on minor applications. It is important however to note that there has been less 'other' applications submitted and determined by East Suffolk this year compared to last year, and this is a direct result of Covid-19 and the impact this has had on the economy, the development sector and personal finances.
- 2.4 There are currently a number of job advertisements live for four trainee or assistant planners, a Design and Conservation Officer to replace an existing position and temporary backfilling for Design and Conservation, Landscape and Ecology to enable assist in delivering the Planning service whilst also providing valuable support to the Energy projects. The additional resource will provide valuable support to the existing team and assist with performance moving forward.

- 2.5 The Council maintains a high approval rate across all types of applications and proactively look to support development where policy permits and work proactively with applicants and agents to secure appropriate schemes. Where applications are refused Officers seek to defend those refusals strongly. Members will note the separate appeals report on the agenda which demonstrates confidence that applications are being refused correctly and those decisions are for the most part upheld at appeal.
- 2.8 Officers continue to work proactively with agents to promote the pre-application service to seek to ensure that where applications are submitted they have the right level of information accompanying them to enable swift decisions on applications to be made.

### **3 REASON FOR RECOMMENDATION**

- 3.1 This report is for information only.

#### **RECOMMENDATION**

That the contents of the report are noted.

**BACKGROUND PAPERS** – None



## STRATEGIC PLANNING COMMITTEE

Monday, 14 September 2020

### PLANNING APPEALS REPORT

#### EXECUTIVE SUMMARY

1. This report provides an update on all appeal decisions received from the Planning Inspectorate between 13 May 2020 and 24 August 2020

<b>Is the report Open or Exempt?</b>	Open
<b>Wards Affected:</b>	All
<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer:</b>	Liz Beighton Planning Manager (Development Management) 01394 444778 <a href="mailto:Liz.beighton@eastsoffolk.gov.uk">Liz.beighton@eastsoffolk.gov.uk</a>

## **1 INTRODUCTION**

- 1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 13 May 2020 and 24 August 2020.

## **2 APPEAL DECISIONS**

- 2.1 A total of 14 planning appeals and eight appeals against enforcement notices have been received from the Planning Inspectorate since the 13 May 2020 following a refusal of planning permission from either Suffolk Coastal District Council, Waveney District Council or the newly formed East Suffolk Council.
- 2.2 A summary of all the appeals received is appended to this report.
- 2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
- 2.4 Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% success rate for major applications, 27.25% success rate for minor applications and 39.25% success rate for householder applications. Taken as a whole that means that slightly over 36% (or 1 in 3) of app planning appeals are successful.
- 2.5 All of the planning applications appealed were delegated decisions determined by the Head of Planning and Coastal Management.
- 2.6 Of the appeals against planning permission ten of the decisions were dismissed (71%) and four allowed (29%). These statistics show that the Council's success rate in defending appeals is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence.
- 2.7 Regarding the enforcement notices, the Council successfully defended the servicing of six of the eight notices (75%) although it is noted that the Planning Inspector on those occasions sought to increase the compliance period from three to six months.
- 2.8 There are no areas of concern raised in any of the appeals. There are however some useful considerations particularly in relation to the appeals at Alderlee in Kelsale and Pier Avenue in Southwold in respect of tests for sustainable development even if outside the settlement boundary and tourist accommodation.

## **3 REASON FOR RECOMMENDATION**

- 3.1 This report is for information only.

### **RECOMMENDATION**

That the content of the report is noted.

### **BACKGROUND PAPERS – None**

The following appeals have been received. The full reports are available on the Council's website using the unique application reference.

<b>Application number</b>	DC/19/1231/FUL
<b>Appeal number</b>	APP/X3540/W/19/3236092
<b>Site</b>	Foxburrow Farm, Waldringfield Road, Brightwell, Ipswich, Suffolk, IP10 0BZ
<b>Description of development</b>	Change of use of land for use as self-storage facility, including the siting of 272 storage containers
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	21 May 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is whether the development is in an appropriate location, with particular regard to the adopted development plan settlement hierarchy.
<b>Summary of decision</b>	<p>The proposal does not accord with the development plan and the most important policies for determining this scheme, namely Policies SP1 and SP7, are not out of date or inconsistent with the Framework. In view of this, the presumption in favour of sustainable development as outlined in Paragraph 11 of the Framework is not engaged.</p> <p>The scheme would result in a range of public benefits, namely, local employment and economic growth. However, when considered collectively, these would be of modest value and outweighed by the harm identified in not guiding new commercial employment development towards sustainable locations in accordance with the settlement hierarchy set out in the adopted development plan. There is no reason why the scheme would result in a more effective use of the site than other uses more appropriate to the rural area that need to be there for reasons of necessity, such as an agricultural use.</p>
<b>Learning point / actions</b>	None to note.

<b>Application number</b>	DC/19/4338/FUL
<b>Appeal number</b>	APP/X3540/D/20/3244405
<b>Site</b>	8 Haywards Fields
<b>Description of development</b>	To erect a fence using concrete post, postmix, lap panel, trellis
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	28 May 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue in this appeal is the effect of the proposed development on the character and appearance of the area and Highway safety.
<b>Summary of decision</b>	<p>The erection of a fence around the front garden at the appeal site would reduce the openness and reduce the highway safety due to the site being a corner plot. This would significantly harm the open character of the estate and hinder the ability to be able to see around the corner at this junction.</p> <p>The fence would harm the character of the street, appearing</p>

	incongruous due to the lack of other screening in front gardens of the neighbouring sites. As the fence is wrapped around a corner plot with no path in between, the development causes danger to highway safety as vehicles cannot see other moving vehicles or pedestrians when approaching the car park adjacent.
<b>Learning point / actions</b>	Fencing surrounding front gardens at a height of two metres is not acceptable if it causes harm highway safety through loss of view around corners. The hard landscaping which has a harmful effect on the character and appearance of the area and can be refused under policy DM21.

<b>Application number</b>	DC/19/3602/FUL
<b>Appeal number</b>	APP/X3540/D/20/3244688
<b>Site</b>	Pipits Hill, Martlesham Road, Little Bealings, Ipswich, Suffolk IP13 6LX
<b>Description of development</b>	Proposed two-storey side extension & reconfiguration of adjoining areas to existing dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	8 June 2020
<b>Appeal decision</b>	Allowed with conditions
<b>Main issues</b>	The main issue in this appeal is the effect of the proposed development on the character and of the original house.
<b>Summary of decision</b>	Whilst the proposed alterations would substantially alter the appearance of the appeal building, the dominance of the original dwelling has already been compromised by the previous alterations. The property, whilst once modest in scale, presents as a large dwelling with the addition of uncharacteristic flat roof side extensions. The proposed forward-facing gable would deviate from the original form and style of the dwelling, however, in the context of the dwelling as extended, I do not consider that this would look out of place. In addition, the Council does not consider that the original building is of any particular architectural merit, historic importance nor is it located in a sensitive location, such as to necessitate particular protection of its original form.
<b>Learning point / actions</b>	Alterations may externally change the character of a building that has been previously extended if it would not look out of place.
<b>Application number</b>	DC/19/1027/FUL
<b>Appeal number</b>	APP/X3540/W/19/3242751
<b>Site</b>	Alderlee, Main Road, Kelsale Cum Carlton IP17 2NS
<b>Description of development</b>	The development proposed is the erection of 10 dwellings at land adjacent to Alderlee, Main Road, Kelsale
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	10 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<p>The main issues are:</p> <ul style="list-style-type: none"> <li>• Whether the development is in an appropriate location for new housing;</li> <li>• Whether it has been adequately demonstrated that a satisfactory method of surface water drainage can be achieved;</li> <li>• Whether the effect of the development on the protection zone of the nearby European Designated Habitat Areas can be suitably mitigated; and</li> <li>• Whether it has been demonstrated that any impacts of the</li> </ul>

	development on reptiles and Great Crested Newts could be satisfactorily mitigated.
<b>Summary of decision</b>	<p>The appeal site falls outside of the defined physical limits of Kelsale Cum Carlton and so for the purposes of local plan policy is classed as being located in the open countryside.</p> <p>However, the proposed development would sit adjacent to existing dwellings and would physically adjoin the wider settlement. Whilst the appeal site is located in an area defined as being in the countryside, and therefore there is some conflict with the requirements of Policies SP27 and DM3, given the surroundings, the existing built form and the proximity to a number of local services and facilities, the proposal would not be in an unsuitable location for new housing. The Inspector did not find conflict with the aims of Policies SP1, SP19, SP27 and DM4 of the CSDMP which collectively seek to locate housing in relation to services and infrastructure, enhance accessibility to services and support development within clusters subject to an acceptable scale and a lack of harm to the character and appearance of the area.</p> <p>Limited details were put forward pertaining to the proposed use of SuDS, infiltration testing, nor any attenuation measures. The Inspector did not find it unreasonable that the Council would expect that all of the relevant documentation to be submitted with the application. Whilst the National Planning Policy Framework supports the use of conditions where reasonable and necessary, it had not been sufficiently demonstrated that a suitable method of drainage could be achieved on site therefore it was not appropriate to rely on conditions.</p> <p>The site is located within the 13km protection zone of European Designated Sites. The proposed development requires a Section 106 Agreement to secure the necessary mitigation and compensation in accordance with the requirements of Policy DM27 and RAMS. In the absence of a S106 the proposed development would not comply with the requirements of Policies DM27 and SP14.</p> <p>The appeal site is overgrown and has a number of dilapidated buildings. An Ecological Impact Assessment was submitted with the application and found that the site has the potential to support reptiles, Great Crested Newts and other amphibians and recommended that further survey works for these species.</p> <p>Circular 06/2005 advises that surveys should be carried out before planning permission is granted.</p> <p>As it has not been sufficiently demonstrated that the proposal would not significantly harm protected species or that a suitable method of mitigation could be achieved, the proposal is considered contrary to Policies DM27 and SP14 of the CSDMP and Section 15 of the Framework.</p>
<b>Learning point / actions</b>	<p>The location of the development outside physical limits may not be considered unsustainable and impact needs to be had on the relationship to sustainable settlement, existing development etc.</p> <p>Adequate survey information is required for protected species and it is</p>



	not appropriate to condition this information.
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<b>Application number</b>	DC/19/3780/FUL
<b>Appeal number</b>	APP/X3540/D/20/3246269
<b>Site</b>	Steps Corner, 101 High Street, Aldeburgh IP15 5AU
<b>Description of development</b>	The development proposed is the removal of the existing pitched roof and the re-building of a new dormered roof to contain 2nos new bedrooms each with en-suite bathroom.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is the effect of the proposed development on the character and appearance of the host building, Steps Corner; whether it would preserve or enhance the character or appearance of the Aldeburgh Conservation Area (ACA) and the effect on the setting of the Grade II listed buildings, 2-10 Town Steps and Dart Cottage.
<b>Summary of decision</b>	<p>The significant increase in the overall height of this building would result in this prominent, yet not dominant building, overwhelming the nearby listed buildings, 2-10 Town Steps and No 99.</p> <p>The harmful effect of the proposed increase in height would be exacerbated by the number of dormers and rooflights that would punctuate and dominate the roof.</p> <p>The resultant building, by virtue of its height and cluttered roofscape, would interrupt and negatively impact the important key view from the top of the Town Steps towards the North Lookout Tower and the sea.</p> <p>The proposal would harm the character and appearance of the host building, the significance of the Conservation Area and the setting of nearby listed buildings. Thus, the proposal conflicts with Policies SP1, SP22 and DM21 of the Suffolk Coastal District Local Plan Core Strategy &amp; Development Management Policies Development Plan Document, 2013.</p>
<b>Learning point / actions</b>	None to note.

<b>Application number</b>	DC/19/2255/FUL
<b>Appeal number</b>	APP/X3540/W/3240658
<b>Site</b>	37 Pier Avenue, Southwold IP18 6BU
<b>Description of development</b>	construction of two storey front and rear extensions to create a 4 bed holiday let.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	19 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>The main issue was the effect of the proposed development on the living conditions of the occupants of nearby residential properties with regard to noise and disturbance.</li> </ul>
<b>Summary of decision</b>	The Inspector paid close attention to the design of the extended dwelling, and the internal floor layout, and considered that the scheme could well host a large party of guests – ultimately resulting in a material change of use from a regular dwelling house that would cause harm to the amenity of neighbouring properties. The Inspector was clear that the level of activity from the dwelling would be significantly greater than use

	as a regular holiday let.
<b>Learning point / actions</b>	<p>This is an important appeal decision for future consideration of development proposals in Southwold, and other popular tourist towns in the District.</p> <p>This case clarifies that a material change of use could arise, even where it is not necessarily formally proposed within the application. It will be for the Planning Authority to consider the nature of the resultant accommodation (arising from the extensions/alterations), to consider whether the occupancy levels the scheme would permit would lead to a change of use. Close attention needs to be paid to the design layout of any extended dwelling that is to be used for holiday letting purposes.</p>

<b>Application number</b>	DC/19/2643/FUL,
<b>Appeal number</b>	APP/X3540/W/19/3240324
<b>Site</b>	Plough Inn, Main Road, Sutton IP12 3DU
<b>Description of development</b>	Erection of two pairs of semi-detached dwellings with associated garaging, formation of vehicular access to Main Road and reorganisation of public house car park.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	22 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>• Whether the location of the development is suitable having regard to the Development Plan and the National Planning Policy Framework (the Framework);</li> <li>• The effect of the development on the character and appearance of the area and the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB);</li> <li>• The effect of the development on the living conditions of future occupiers with particular regard to noise and disturbance;</li> <li>• Whether the development would result in the loss of a key facility;</li> <li>• The effect of the development on European Designated Sites.</li> </ul>
<b>Summary of decision</b>	<p>The proposals were concluded to be in conflict with SP1, SP1A, SP19, SP29, DM3 and DM4 of the Core Strategy and the Framework which seek, amongst other things, to direct development to sustainable locations of the District, as it would not be an appropriate location to access day-to-day services and facilities. The Inspector noted that Sutton offered little in the way of facilities and the nearest Key Service Centre where Hollesley and Melton meaning future occupiers would be heavily reliant on private cars to access services and facilities.</p> <p>The Inspector noted that the area is rural in character and Sutton itself has a pleasing sense of uniformity which is formed by the regular pattern of linear development that exists along Main Road. The proposed development would fail to reinforce the locally distinctive pattern of development and would have a detrimental impact on the character and appearance of the area and the AONB in which it is set. the development would be in conflict with Policies DM3, DM21 and SP15 of the Core Strategy.</p>

	<p>The Inspector agreed that due to the position of parking spaces and the relationship between the proposed dwellings and the public house that noise and disturbance would be experienced during anti-social hours. It was concluded that significant levels of noise and disturbance would be experienced by future occupiers of the dwellings, through the movement of people and the general chatting of patrons using this area, contrary to DM23.</p> <p>The Inspector did not consider that the proposals would conflict with DM30 as there would still be adequate parking provided for the public house.</p> <p>The applicants argument for housing development to fund the public house for future use, was considered by the Inspector who considered that the short term injection of funds would support the year profit and clear bad debt but would not provide any future guarantees beyond that. It was concluded that there were no long term future plans for the public house which would make this argument viable.</p>
<b>Learning point / actions</b>	High emphasis was placed on the setting within the AONB and the existing pattern of development along with the sites unsustainable location.

<b>Application number</b>	DC/19/3412/FUL
<b>Appeal number</b>	APP/X3540/W/20/3245276
<b>Site</b>	84 Fairfield Road, Saxmundham IP17 1EG
<b>Description of development</b>	The development proposed is erection of new 2-bedroom, single storey dwelling with 2no. parking spaces, within rear garden of existing dwelling and sharing the existing vehicular access.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	9 July 2020
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	<p>The main issues for the appeal are:</p> <ul style="list-style-type: none"> <li>• the effect on living conditions of neighbouring properties with regards to noise and disturbance</li> <li>• whether the proposal will not adversely affect the integrity of European sites.</li> </ul>
<b>Summary of decision</b>	<p>The proposal would not be harmful to the living conditions of either the host or neighbouring properties with regard to noise disturbance. The development would not conflict with policies DM7 or DM23 of the East Suffolk, Suffolk Coastal District Local Plan Core Strategy and Development Management Policies Development Plan Document 2013 (the Local Plan), which seek to ensure development would not significantly reduce residential amenity.</p> <p>RAMS payment was received.</p> <p>The required mitigation would be properly secured and the proposals would be unlikely to have a significant effect on the identified SPA, Ramsar or SAC.</p>
<b>Learning point / actions</b>	None to note.

<b>Application number</b>	DC/20/1208/FUL,
<b>Appeal number</b>	APP/X3540/D/20/3253394
<b>Site</b>	4 York Road, Martlesham Heath
<b>Description of development</b>	Conversion of existing attached garage and erection of detached double garage
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	12 August 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	Effect of the proposed garage on the character and appearance of the area.
<b>Summary of decision</b>	Dismissed – considered that the loss of trees and the detachment of the proposed garage being 8 metres in front of the dwelling would not follow the pattern of development and would encroach onto the open space to the detriment of the character of the area.
<b>Learning point / actions</b>	Gives appreciation of undesignated open spaces on Martlesham Heath

<b>Application number</b>	DC/19/1682/FUL
<b>Appeal number</b>	APP/X3540/W/19/3243598
<b>Site</b>	Beech Tree Farm House, Rushmere Road, Rushmere, Lowestoft, NR33 8HA
<b>Description of development</b>	Conversion of existing domestic outbuilding to single unit of holiday accommodation and all associated works.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	3 July 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>the character and appearance of the building and surrounding area;</li> <li>highway safety;</li> <li>biodiversity, particularly European protected sites..</li> </ul>
<b>Summary of decision</b>	<p>The inspector noted the importance of the trees on the frontage of the site to the rural character of the area and concluded that the removal of trees to accommodate the extension and the provision of a car parking area would detract from the character and appearance of the area and was not persuaded that a landscaping condition would sufficiently shield the proposed development from the main road as to reduce its impact to an acceptable level.</p> <p>The inspector agreed that the principle of conversion of the building to holiday let use was acceptable and in that regard was in accordance with policy WLP8.15 but that the scheme was contrary to Policy WLP8.29 “Design” which seeks development proposals to demonstrate high quality design which reflects local distinctiveness, protect the amenity of the wider environment and create a high quality public realm.</p> <p>Despite the lack of information with respect to visibility splays the inspector was of the view that considering the limited amount of additional traffic that is likely to be generated by the proposal, the topography of the site and layout of the road, as well as the speed and volume of traffic, it is unlikely that the development would have a significant effect on highway safety and was acceptable in this regard.</p> <p>As the development falls within the “Zone of Influence” for one of more</p>

	of the European Protected sites an Appropriate Assessment would be required. As the appeal was dismissed further consideration was not given to this matter.
<b>Learning point / actions</b>	Design consideration is given a lot of weight by inspectors.  It is difficult to demonstrate a 'unacceptable impact' on highway safety particularly on small scale schemes and is a weak reason for refusal where there is limited additional traffic movements.

<b>Application number</b>	DC/19/3496/FUL
<b>Appeal number</b>	APP/X3540/W/20/3249692
<b>Site</b>	23 New Road, Trimley St Mary, Felixstowe, Suffolk IP11 0TF
<b>Description of development</b>	Proposed single-storey dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	21 August 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>the effect of the proposal on the character and appearance of the area</li> </ul>
<b>Summary of decision</b>	The proposed dwelling would appear awkward and cramped with 23 New Road and would also appear disconnected from the row of bungalows by the footpath. It would disrupt the sense of order and rhythm and undermine the cohesive feel and group value of the existing properties. For these reasons the proposal does not accord with Core Strategy Policy DM7.
<b>Learning point / actions</b>	N/A

<b>Application number</b>	DC/19/3600/FUL
<b>Appeal number</b>	APP/X3540/W/20/3244854
<b>Site</b>	Land at Cireanin, Woodbridge Road, Bredfield IP13 6AW
<b>Description of development</b>	Proposed single-storey dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>whether or not the site is an appropriate location for residential development having regard to local and national policy for the delivery of housing; and</li> <li>the effect of the proposal on the character and appearance of the rural area.</li> </ul>
<b>Summary of decision</b>	<p>The site lies in the countryside where the proposal does not accord with any of the policies which allow for new development in rural locations (DM1, DM3 or DM4) therefore would also conflict with SP1 and Sp29 of the Core Strategy.</p> <p>Due to the proposals backland location, the proposal would introduce a sizeable dwelling beyond the existing linear pattern of development which would introduce a new built form uncharacteristic of its</p>

	surrounds. The dwelling would be physically and visibility separate from the approach into Bredfield and would result in an urbanising effect on the rural character of the area, incongruous to the appearance of the local landscaped environment.
<b>Learning point / actions</b>	N/A

<b>Application number</b>	DC/19/3456/VOC
<b>Appeal number</b>	APP/X3540/W/19/3243040
<b>Site</b>	1&2 Hall Cottages, Charsfield, IP13 7PW
<b>Description of development</b>	Variation of Condition No.2 of DC/19/1147/FUL - Single storey front extension, Dormer Window to primary elevation(No 1) Side and Rear single storey extensions, external insulation and cladding to original dwellings to side and rear elevations. Retrospective Application for dormer to the front (No 2)(Second Application).
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	The main issue is whether, as a result of non-compliance with the approved plans, the resulting development has an effect on the character and appearance of the host property and surrounding area.
<b>Summary of decision</b>	<p>The appeal site already has a notable urban presence within the landscape. In this context, the proposed dormer windows in themselves would be unlikely to dominate the surrounding area and would therefore would not harm the visual qualities of the wider rural setting.</p> <p>The proposal would not have an adverse effect on the character or appearance of the locality. The proposed variation to the design of the dormer windows would not be contrary to policies SP15 or DM21 of the East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies, which seeks to ensure that proposals relate well to the scale, form and character of their surroundings. In addition, the proposal would not be contrary to the aims of the emerging policy SCLP11.1 in the Suffolk Coastal Local Plan, which seeks development to consider and respond to local context.</p>
<b>Learning point / actions</b>	Alterations may externally change the character of a building that has been previously extended if it would not look out of place.

#### Appeals relating to Enforcement Action

<b>Enforcement Case Number</b>	ENF/2014/0104
<b>Appeal Number</b>	APP/J3530/C/19/3227777
<b>Site</b>	Land at Top Street, Martlesham
<b>Description of Development</b>	The breach of planning control as alleged in the notice is without planning permission the change of use of land from a mixed use for agriculture and storage of cars and containers to the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and other miscellaneous items not associated with agriculture.

Type of notice	Enforcement Notice (served 1 <sup>st</sup> April 2019)
Decision Date	20 July 2020
Appeal Decision	Appeal Dismissed and the enforcement notice is upheld with variations
Main Issues	The main issues in this case were the unauthorised use of the land for the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and other miscellaneous items not associated with agriculture
Summary of Decision	Appeal Dismissed and extension of time given for compliance to 6 months
Learning Point / Actions	None

Enforcement Case Number	ENF/2015/0214/MULTI
Appeal Number	Appeal A Ref: APP/X3540/C/20/3247258 Appeal B Ref: APP/X3540/C/20/3247259
Site	Land at 98 Tangham Cottages, Capel St Andrew, Woodbridge, Suffolk IP12 3NF
Description of Development	Without planning permission the unauthorised change of use of the land and buildings from agriculture to a business, tourism and residential use, namely a therapy room, sauna, jacuzzi/hot tub and holiday let accommodation.
Type of notice	Enforcement Notice (17 January 2020)
Decision Date	26 June 2020
Appeal Decision	Appeal dismissed with variation relating to length of time for compliance
Main Issues	Unauthorised use of the land for business and tourism uses.
Summary of Decision	Enforcement appeal dismissed and Enforcement Notice upheld with a variation on some wording and on the time limit given for compliance. This was increased from 3 months to 6 months
Learning Point / Actions	None

Enforcement Case Number	ENF/2017/0170
Appeal Number	Appeal A: APP/X3540/C/19/3243064 Appeal B: APP/X3540/C/19/3243059
Site	Land adjoining Oak Spring (also known as Hodmadod Farm), off The Street, Darsham, Suffolk
Description of Development	The breach of planning control as alleged in the notice is without planning permission the unauthorised change of use of land from agriculture to a residential use, the stationing of a mobile home for residential use, with attached wooden cladding and roof, the stationing of a metal container, a modular building, formation of a pond and the storage of non-agricultural items.
Type of notice	Enforcement Notice (13 November 2019)
Decision Date	11 August 2020
Appeal Decision	Appeals Dismissed with the exception of the stationing of the metal container and the Enforcement Notice upheld with variations
Main Issues	The main issues in this case were the unauthorised residential use of the site and the stationing of a mobile home.

Summary of Decision	Appeals Dismissed under Ground (c) with the exception of the stationing of a metal container. The Enforcement Notice was amended.
Learning Point / Actions	None

Enforcement Case Number	ENF/2018/0330/LISTM
Appeal Number	APP/X3540/F/19/3231107
Site	Willow Farm, Chediston Green, Halesworth IP19 0BB
Description of Development	Without Listed Building Consent the unauthorised removal of two single glazed windows and their replacement with two double glazed windows and applied glazing bars.
Type of notice	Listed Building Enforcement Notice (17 May 2019)
Decision Date	21 July 2020
Appeal Decision	Appeal Dismissed
Main Issues	The main issues in this case were the unauthorised removal of two single glazed windows and their replacement with two double glazed windows and applied glazing bars.
Summary of Decision	Appeal Dismissed
Learning Point / Actions	None

Enforcement Case Number	ENF/2019/0272/DEV
Appeal Number	Appeal A: APP/X3540/C/19/3237075 (Enforcement Appeal) Appeal B: APP/X3540/C/19/3237076 (Enforcement Appeal) Appeal C: APP/X3540/W/20/3246581 (Appeal against refusal to grant planning permission)
Site	Rosery Cottage Barn, Lodge Road, Great Bealings, Woodbridge IP13 6NW
Description of Development	The breach of planning control as alleged in the notice is without planning permission the change of use of an agricultural building to a use for non agricultural storage and a domestic use introducing the capability of a potential residential accommodation use. In addition the development has not been built in accordance with the plans submitted under DC/15/1079/AGO  And  Application for retrospective planning permission for the erection of open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.
Type of notice	Enforcement Notice (16 August 2019) Planning Refusal (3 December 2019)
Decision Date	12 August 2020
Appeal Decision	Enforcement Appeal was deemed to be a nullity and the Enforcement Notice was quashed Planning appeal – permission was granted
Main Issues	The main issues in the enforcement case were the change of use of an agricultural building to a use for non agricultural storage and a domestic use introducing the capability of a potential residential accommodation use. In addition the development has not been built in accordance with



	<p>the plans submitted under DC/15/1079/AGO</p> <p>And</p> <p>The refusal to grant planning permission for open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.</p>
Summary of Decision	<p>Enforcement Notice quashed</p> <p>Planning permission granted for the open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.</p>
Learning Point / Actions	The Inspector deemed the wording of the notice to be ambiguous



## STRATEGIC PLANNING COMMITTEE

Monday, 14 September 2020

### PLANNING POLICY AND DELIVERY UPDATE

#### EXECUTIVE SUMMARY

1. This report provides an update on the emerging Local Plan for the former Suffolk Coastal area, progress on Neighbourhood Plans and key elements of the current work programme, for information.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Desi Reed Planning Policy and Delivery Manager 01502 523055 <a href="mailto:desi.reed@east Suffolk.gov.uk">desi.reed@east Suffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 This report provides an update on the emerging Local Plan for the former Suffolk Coastal area, progress on Neighbourhood Plan preparation and key elements of the current work programme.

## **2 LOCAL PLAN FOR THE FORMER SUFFOLK COASTAL AREA**

- 2.1 As Members will be aware, the Final Draft Suffolk Coastal Local Plan was submitted to the Secretary of State, for Examination by an Independent Planning Inspector, on 29th March last year. Philip Lewis BA (Hons) MSc MRTPI was the Inspector appointed to undertake the Examination which included public hearings held in August / September 2019. The Examination commences when the plan is submitted and concludes on receipt of the Inspector's Report.
- 2.2 Public consultation took place on the Inspector's schedule of proposed Main Modifications to the Final Draft Local Plan, the associated Sustainability Appraisal and Habitat Regulations Assessment, plus the Council's Additional (non-material) Modifications and Policy Map revisions, for a period of 10 weeks from 1<sup>st</sup> May to 10<sup>th</sup> July 2020. 563 comments were received on the main modifications, along with 2 on the Sustainability Appraisal Report Addendum, 5 on the Habitats Regulations Assessment, 6 on the Additional Modifications and 6 on the Policies Maps, from a total of 245 respondents.
- 2.3 Following consideration of responses on the Main Modifications, Sustainability Appraisal and Habitat Regulations Assessment, the Inspector is now finalising his Report and at the time of writing this report, receipt is imminent.
- 2.4 Following receipt of the Inspector's Report, the next step will be for Cabinet to consider the Suffolk Coastal Local Plan, as modified, at its meeting on 17<sup>th</sup> September before it is considered for adoption by Full Council on 23<sup>rd</sup> September.
- 2.5 On adoption, this plan will supersede the Core Strategy and Development Management Policies 2013, Site Allocations and Area Specific Policies 2017, Felixstowe Peninsula Area Action Plan 2017 and the remaining 'saved' policies from 2001 Local Plan (pre the 2004 Planning and Compulsory Purchase Act).

## **3 NEIGHBOURHOOD PLAN PROGRESS**

- 3.1 A significant number of neighbourhood plans are currently being supported across the district, all at varying stages in the plan preparation process. Nine plans are currently made (adopted) and three more are now close to being made.
- 3.2 Since the June Strategic Planning Committee meeting, Neighbourhood Plans for Kesgrave and Reydon have recently been through Examination successfully and the 'Decision Statements' have been issued recommending that these plans proceed to a referendum (when referendums are possible). This means that policies in these plans will now attract 'significant weight' in determining planning applications. The Neighbourhood Plan for Bredfield has also successfully been through Examination. The plan is being updated to reflect modifications from the Examiner before the Decision Statement can be issued. Once the Decision Statement is issued, this plan will also attract significant weight in determining planning applications.

## 4 OTHER KEY WORK

- 4.1 In addition to work on Local Plans and Neighbourhood Plans, there are a number of key projects in the current work programme (next 12 to 18 months) and that support the delivery of the East Suffolk Strategic Plan. Several of the projects have been delayed due to Covid 19 restrictions but also due to the need to not advance ahead of the outcome of the Suffolk Coastal Local Plan Examination and subsequent adoption, so the project milestones for each project are kept under constant review.
- 4.2 Since the last meeting in June, the North Lowestoft HAZ Design Guide has been adopted by Full Council, the Housing Action Plan has been published and consultation has been completed for the template to be used for preparing Residential Development Briefs.
- 4.3 With respect to progress on the work programme during the next 3 months, some of the key milestones will include:
- Response to the Planning White Paper – Planning for the Future (deadline 29 October)
  - Response to the Changes to the Current Planning System consultation (deadline 1 October)
  - The 5 year housing land supply assessment will be published and key findings will be reported to a future Strategic Planning Committee
  - Initial public consultation will take place on the Development and Coastal Change Supplementary Planning Document (a joint consultation with Great Yarmouth BC, North Norfolk DC and the Broads Authority)
  - The CIL spend bid round will have taken place from the end of September (moved from April/May 2020 due to Covid-19), informed by currently on-going discussions with infrastructure providers to understand the likely bid submissions. The September bids will have a heavy focus on spending on ‘essential’ infrastructure as set out in the Local Plans and in accordance with the CIL Spending Strategy approved by Cabinet in January 2020
  - The annual Infrastructure Funding Statement will have been discussed by the CIL (member) Working Group in September, considered by Cabinet in December and published by 31 December
  - The statutory Neighbourhood CIL payments for the period April 2020 to 30 September 2020 will have been made to parish councils in October. Officers will continue to work closely with a number of Parish and Town Councils to support their effective spending of Neighbourhood CIL on local projects
  - A draft of the new East Suffolk Community Infrastructure Levy Charging Schedule will be well progressed having undertaken initial consultation with, developers, landowners, agents and others on technical viability considerations
  - Public consultation on a new Statement of Community Involvement will have commenced
  - Public consultation on the Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document will have commenced
  - Public consultation on the Historic Environment Supplementary Planning Document will have commenced
  - Initial engagement on the Affordable Housing Supplementary Planning Document will have taken place

- Initial digital mapping public consultation on Cycling and Walking Strategy will have commenced
- Annual Authority Monitoring Report will be ready for the next Strategic Planning Committee in December

## **5 REASON FOR RECOMMENDATION**

This report is for information only.

### **RECOMMENDATION**

That the content of the report is noted and endorsed.

**BACKGROUND PAPERS** - None