

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, on **Tuesday, 29 June 2021 at 1:00pm**

**Members of the Committee present:**

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Kay Yule

**Other Members present:**

Councillor Paul Ashdown, Councillor Lydia Freeman, Councillor David Ritchie

**Officers present:**

Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Karen Cook (Democratic Services Manager), Rachel Lambert (Planner Major Sites), Matt Makin (Democratic Services Officer), Steve Milligan (Planner), Philip Ridley (Head of Planning and Coastal Management), Robert Scrimgeour (Principal Design and Conservation Officer), Katherine Scott (Principal Planner), Rachael Smith (Senior Planner), Ben Woolnough (Planning Manager)

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**1 Apologies for Absence and Substitutions**

No apologies for absence were received.

**2 Declarations of Interest**

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 13 of the agenda as a member of Felixstowe Town Council and the Chairman of that authority's Planning & Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 13 of the agenda as a member of Felixstowe Town Council.

Councillor Colin Hedgley declared Local Non-Pecuniary Interests in items 6 and 7 of the agenda as Ward Member for Grundisburgh.

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

Councillors Stuart Bird, Chris Blundell, Tony Cooper, Mike Deacon, Debbie McCallum, Mark Newton and Kay Yule all declared that they had been lobbied by post and email on items 6 and 7 of the agenda and had not responded to any lobbying on these items.

Councillor Colin Hedgley declared that he had been lobbied by post and email on items 6 and 7 on the agenda; he had acknowledged receipt of lobbying and offered technical advice when required.

Councillor Tony Fryatt declared that he had been lobbied by post and email on items 6 and 7 on the agenda; he had responded to advise on actions available to individuals.

#### **4a Minutes - April 2021**

##### **RESOLVED**

That the Minutes of the Meeting held on 27 April 2021 be agreed as a correct record and signed by the Chairman.

#### **4b Minutes - May 2021**

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

##### **RESOLVED**

That the Minutes of the Meeting held on 25 May 2021 be agreed as a correct record and signed by the Chairman, subject to the following amendment:

- Item 2, fourth paragraph, first bullet point "A Local Non-Pecuniary Interest in item 6 on the agenda as a both a member of Felixstowe Town Council and as Chairman of the Felixstowe Sports **Hub** Trust."

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

The Committee received report **ES/0799** of the Head of Planning Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has been sanctioned under delegated powers up until 25 May 2021. At that time there were 11 such cases.

There being no questions to the officers, the Chairman moved to the recommendation set out in the report.

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

##### **RESOLVED**

That the outstanding enforcement matters up to 25 May 2021 be noted.

#### **6 DC/20/3362/FUL - Land West of Chapel Road, Grundisburgh**

The Committee received report **ES/0800** of the Head of Planning and Coastal Management, which related to planning application DC/20/3362/FUL.

The application sought full planning permission for the development of 70 houses and associated infrastructure. The application site was allocated in the Suffolk Coastal Local Plan (the SCLP) for the development of approximately 70 houses under Policy SCLP12.51.

This application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, set out in the East Suffolk Council Constitution, due to the level of public interest. It was noted that there was a tandem, identical application (reference DC/20/3284/FUL) which was also on the Committee's agenda for determination.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial view that demonstrated its relationship to Grundisburgh.

The Committee was shown photographs of:

- The view from Park Road looking east.
- The view from the north-west corner of the site looking south-east.
- The west boundary, facing south.
- Views of the highway and neighbouring facilities.
- The view from the south-west of the site into Grundisburgh Hall parkland.

The proposed layout was displayed, along with proposed elevations for the dwellings that would be constructed. The Planner also outlined the works that would be undertaken to enhance the existing footpath at the north of the site, footpath 20, including removal of trees.

The Committee was shown a map outlining the off-site walking routes that would connect to the application site.

The material planning considerations and key issues were summarised as compliance with policy SCLP12.24 of the the SCLP, highways, suitability and delivery of footpath improvements, the setting of heritage assets, and the impact on the landscape and setting of Grundisburgh.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outlined to the Committee. It was noted that the recommendation stated that if a Section 106 agreement was not completed within six months then authority to refuse the application should be delegated to the Head of Planning and Coastal Management.

The Chairman invited questions to the officers.

The Planner assured the Committee that the development would be tenure blind in appearance and that the affordable housing would be fully integrated within the scheme. The affordable housing would consist of 11 rented properties and 12 shared ownership properties.

It was confirmed that Suffolk County Council, as the Highways Authority, had thoroughly considered the application against the requirements of key tests within the National Planning Policy Framework (NPPF) and had not objected to the application.

The Planner explained that although units clustered in the north-east corner had been allocated for the affordable housing element of the development, it was appropriate for a site of this scale and the area would fully integrated with surrounding open market housing; the Planner reiterated that the development would be of a tenure blind design.

In response to a query on the number of conditions recommended within the report, officers advised that the application was complete enough to be determined and that the number of

conditions recommended was proportionate to the number of dwellings proposed and would be enforceable.

A member of the Committee considered the roads adjacent to the site to be unsatisfactory for highway safety and asked if footpath 20 would be lit at night, if safety bars would be installed on the raised areas and if cyclists would be able to use it. The Planner advised that there were no plans for lighting or safety bars and that as footpath 20 was not a bridleway it could not be used by cyclists.

In response to a query regarding the expected widening of footpaths and the location of designated passing places, the Planner advised that a passing place had been proposed in Chapel Road that would utilise driveways; the Planning Manager noted that the nationally recognised footpath design width was 1.5 metres, which was the width of the footpaths on Park Road, and was deemed acceptable for two pedestrians to pass by each other. The Planning Manager stated the widening of footpaths would be controlled by a Section 278 agreement.

The Planner confirmed that the site had been subject to ecological surveys relating to four protected species; the ecologist had noted the arable field was unsuitable for stag beetles, which live in decaying wood, and no issues had arisen from the survey other than those related to bats and badgers which would be dealt with via the recommended conditions.

The Planning Manager, in response to a query about the adoption of the design out crime report, noted that a range of urban design elements had been accommodated in the layouts as a compromise to what was in the design out crime report.

The Planning Manager confirmed that footpath 20 was considered to be an appropriate width and its status would allow work to be completed to achieve sustainable access.

The Chairman invited Mr Craig Plant, who objected to the application, to address the Committee.

Mr Plant said that his comments would focus on highways matters; he considered the roads surrounding the site to be narrow and dangerous, where accidents and injuries already occurred. Mr Plant disagreed with the Highways Authority's assessment of only a 20% increase in traffic and questioned its conclusions, deeming them flawed. Mr Plant encouraged members of the Committee to drive and walk on the roads to see this for themselves.

Mr Plant was of the view that the existing footways in the area did not go anywhere and that pedestrians would be required to walk on the highway in unlit areas. Mr Plant considered this to be inappropriate and was not confident that improvements to footpaths would actually happen.

It was Mr Plant's view that the development would also result in a loss of farmland and that there was no analysis of its impact on amenity and environmental loss.

The Chairman invited questions to Mr Plant.

Mr Plant considered that, due to the proximity of his home to the site, his young children would be in danger as a result of the increased traffic, noting that there was nowhere for pedestrians to seek refuge when vehicles approached.

Mr Plant said that residents had not been consulted about the proposed improvements to footpath 20; the footpath crossed over private land and the owners had not been consulted about tree removal.

The Chairman invited Councillor Ann Willetts, Vice Chair of Grundisburgh and Culpho Parish Council, to address the Committee.

Councillor Willetts highlighted that over 1,000 objections from the local community had been made in respect of the application and that if it was approved, its impact on highway safety would be severe. Councillor Willetts said the access roads were narrow and were unsuitable for pedestrians and delivery vehicles, and that plans to widen roads and create passing places would result in the loss of existing hedgerows.

Councillor Willetts advised that Lower Road was a continuation of Park Road and was part of the shortest route to Woodbridge and the A12; she said that pedestrians had no safe refuge from vehicles and considered the omission of Lower Road to have been deliberate. Councillor Willetts said that the development would make Lower Road even more hazardous and that vehicle/pedestrian conflict would be severe.

Councillor Willetts was of the view that the proposals falsely relied on the improvements to footpath 20 to access village amenities and said that existing residents would not benefit from this. Councillor Willetts asked the Committee to refuse the application as it would ruin the village and compound the mistake of allocating this site for development in the SCLP.

The Chairman invited questions to Councillor Willetts.

Councillor Willetts was asked to elaborate on an allegation that information about the site had been withheld from the Planning Inspector during the creation of the current SCLP, made via a letter to the Committee from Grundisburgh and Culpho Parish Council sent prior to the meeting.

Councillor Willetts said that information had been received from Suffolk County Council via a Freedom of Information (FOI) request which indicated that one of the Council's Principal Planners had asked for a site plan to be withheld from the Planning Inspector and not be submitted to the Local Plan Inquiry.

Councillor Willetts advised that Grundisburgh and Culpho Parish Council submitted a complaint to Suffolk County Council and the then Suffolk Coastal District Council at the time, and the response from the Council's Head of Planning and Coastal Management was that the plan in question had too much information. Councillor Willetts considered that the site plan that was submitted as part of the Inquiry had been sanitised of detail.

The Chairman invited the Council's Head of Planning and Coastal Management to provide context on this point. The Head of Planning and Coastal Management said that the complaint was robustly defended by the Council and Suffolk County Council at the time and noted that

the current SCLP was adopted by the Council in September 2020, highlighting that the period for legal objections to it had now passed.

The Head of Planning and Coastal Management assured the Committee that there had been no untoward goings in relation to aiding the Local Plan Inquiry in his consideration of the Local Plan document and was content with the Council's position; he asked that the Committee make its decision on the application based on the adopted SCLP and material planning considerations.

It was noted by the Planning Manager that the 1,000 objections received related to both this application and application DC/20/3284/FUL; 576 objections had been received for this application and a further 553 for application DC/20/3284/FUL.

The Chairman invited Mr Geoff Armstrong, agent for the applicant, to address the Committee. Mr Armstrong was accompanied by Mr Chris Smith of Hopkins Homes and Ms Jessica Pratt of Cannon Consulting Engineers, who were present to answer questions from the Committee.

Mr Armstrong said that the Planner's summary of the application had been comprehensive and noted that Hopkins Homes, the applicant, had worked closely with the Council to create a scheme that was policy compliant.

Mr Armstrong highlighted Hopkins Homes' excellent record on delivering projects and said that should planning permission be granted, the company intended to proceed with preparation works as soon as possible, aiming for completion between 2022 and 2025.

The scheme was described as having a wide range of dwelling types, including affordable housing units, which would be fully accessible. The site would also include two hectares of public open space, with wildflowers, trees, shrubs and a play area. The site would enhance existing and create new pedestrian connections in the area.

Mr Armstrong said that the Parish Council would receive 15% of the total Community Infrastructure Levy (CIL) contribution of £125m, £200,000, to deliver improvement to public services; he added that the Section 278 agreement would deliver another £500,000 towards the improvement of local education services.

The Chairman invited questions to Mr Armstrong, Mr Smith and Ms Pratt.

Mr Smith confirmed that Park Road would definitely be widened to 2.8 metres and that the footpath would not be along the road; he added that a pavement was not part of the proposal and that the road would be designated as a "quiet lane".

A member of the Committee expressed concerns about the layout and how the site would fit in to the existing area. Mr Smith said that the vernacular style proposed had been picked up from an existing mixed style in Grundisburgh and would have positive design characteristics for a rural locality.

The Chairman invited Councillor Colin Hedgley, Ward Member for Grundisburgh, to address the Committee.

Councillor Hedgley quoted paragraph 78 of the NPPF, on rural housing, noting that it should be "responsive to local circumstances" and considered that this application should be refused due to its punitive impact on highway safety. Councillor Hedgley considered that such a scheme should enhance the natural landscape and recognise the intrinsic value and beauty of the countryside.

Councillor Hedgley advised that he had followed this application for several years, highlighting that several well attended public events had taken place. Councillor Hedgley had been lobbied on the application and it was keenly felt by residents in the area.

Councillor Hedgley said he was not against building more houses but was of the view that the scheme needed to be thought through, questioning if there was sufficient infrastructure in the area to cope with such an influx of new residents. Councillor Hedgley noted that the new school at Brightwell Lakes, cited in the application, had not yet begun construction.

In respect of highway safety, Councillor Hedgley noted that the roads leading to the site were single track roads which would not be able to cope with the additional traffic that would be generated; he noted that in addition to the limited width the roads contained blind bends, with a one-mile stretch of road with no passing places. Councillor Hedgley added that other roads towards Great Bealings and Martlesham were not mentioned by the application. Councillor Hedgley considered that the proposed improvements to footpath 20 were a rushed solution.

Councillor Hedgley acknowledged the need for more housing but said this application should not be approved just to tick a box and urged the Committee to not make life worse for residents.

There being no questions to Councillor Hedgley, the Chairman invited Councillor Tony Fryatt, also Ward Member for Grundisburgh, to address the Committee.

Councillor Fryatt said that those residents objecting to the application were not "NIMBYs" but were concerned about the environment and that the impact of the scheme on the landscape and setting of the village was key.

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

Councillor Bird spoke in support of the application and considered that there was a need to help younger people find suitable and affordable housing, as well as a need to spread housing across the district rather than just situating it in its market towns to avoid NIMBYism. Councillor Bird highlighted the amount of work that went into creating the SCLP, which had been found sound by the Planning Inspectorate and had been adopted by the Council in September 2020, stating that there would be little point to this work if the SCLP was not adhered to when making planning decisions.

Councillor Bird said that sites had been allocated in the SCLP to avoid speculative applications and that to refuse this application would be to argue against the plan; he highlighted that the Highways Authority did not object to the application and that the Committee should be open minded to new design styles. Councillor Bird was of the view that the application made a generous and sympathetic approach to blend in.

Councillor Blundell noted that despite the proposed allocation of funding, a school did not yet exist at Brightwell Lakes and would not do so for some time. Councillor Blundell highlighted the roads leading to the site being part of wider routes to Martlesham and quite narrow and could not accept the scheme on the grounds of highway safety. Councillor Blundell noted that he did not object to the development itself but was concerned about travel to and from the site, suggesting a more realistic route was needed.

In response to comments on education provision, the Planning Manager informed the Committee that Suffolk County Council, as the Education Authority, would plan catchments for the new development and highlighted that development at Brightwell Lakes would begin in 2022. Suffolk County Council had predicted that pupils would be able to go to other schools in the vicinity in the interim, including Kesgrave and Farlingaye High Schools, therefore it was logical to secure funding to deliver this provision including Section 106 funding that would contribute to school transport provision.

Councillor Yule questioned what primary school provision would be available for residents of the new development, given that Grundisburgh Primary School was at capacity. The Planning Manager advised that the CIL would contribute to deliver additional primary school places and that Suffolk County Council was fully aware of the potential development, and looked at locations where growth was likely and plan for infrastructure requirements for all allocated sites including education contributions from development.

Councillor Cooper concurred with the comments made by Councillor Bird and agreed that more housing was required in East Suffolk. Councillor Cooper reminded the Committee that it needed to consider the application that was before it on its own merits.

Councillor Deacon acknowledged that the site was allocated for development in the SCLP and did not object to the design or location; he was however concerned about the highway safety and said he therefore could not support the application until this issue was addressed.

Councillor Hedgley reiterated his earlier comments as Ward Member and considered the roads leading to the site to be wholly unsuitable for this development.

Councillor Newton said that although he was disappointed with the access to the site, it was allocated in the Local Plan and therefore supported the application.

Councillor Yule concluded that, although she supported the design of the scheme, she could not support it due to highway safety concerns.

Officers reminded the Committee that it needed to rely on the Highways Authority as both the experts on these matters and the statutory body, and should it be minded to refuse the application needed to give justifiable reasons for doing so.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

The recommendation was proposed by Councillor Bird and seconded by Councillor Cooper. A recorded vote was requested by Councillor Hedgley and was supported by Councillors Deacon and McCallum.

The Chairman moved to a recorded vote. The result of the vote is shown below:

**For delegating authority to approve the application to the Head of Planning and Coastal Management, as set out in the report (4 Members):**

Councillor Stuart Bird, Councillor Tony Cooper, Councillor Debbie McCallum, Councillor Mark Newton.

**Against delegating authority to approve the application to the Head of Planning and Coastal Management, as set out in the report (5 Members):**

Councillor Chris Blundell, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Kay Yule.

Therefore the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management **FAILED** by a majority vote. The Chairman sought an alternative recommendation for refusal from the Committee.

Further debate suggested that the application could be refused on the grounds it was contrary to policies SCLP5.2 and SCLP12.51 (paragraph d) of the SCLP as it did not provide adequate pedestrian access and footways and the proposed access would be via surface of an existing footpath route which was not accepted as a safe route.

The Planning Manager reminded the Committee that although it come to an alternative conclusion to that of a statutory body, it needed to provide reasons for refusal where the scheme was contrary to planning policies and material considerations. The Planning Manager acknowledged that the scheme did not satisfy paragraph d of policy SCLP12.51 but that a robust reason for refusal was required.

The Head of Planning and Coastal Management referred to the appeal decisions outlined in the report and suggested that there were no substantial grounds to refuse the application on highways matters, noting there was no technical advice contrary to the Highways Authority's statutory response. The Head of Planning and Coastal Management said that such a refusal could be considered unreasonable at appeal.

In response to a suggestion to refuse the application due to the clustering of the affordable housing element, officers advised that this was not contrary to policy and would not form a robust reason for refusal.

Councillor Cooper noted that those members of the Committee who had voted against approving the application had done so based on highway safety concerns and that any recommendation for refusal should be based on this.

The Planning Manager suggested to the Committee that it could defer the application to allow officers to seek secondary technical consultancy advice on highways matters, which could then be presented to the Committee. The Planning Manager suggested that it would take several weeks to gather this information and that the application could return to the Committee at either its August 2021 or September 2021.

On the proposition of Councillor Yule, seconded by Councillor Blundell it was by a majority vote

**RESOLVED**

That the application be **DEFERRED** to allow officers to seek secondary technical consultancy advice on highways matters, which would then be presented to the Committee prior to the application's determination.

It was suggested by Councillor Deacon that, as the application had been deferred, it would be prudent for the Committee to undertake a site visit to fully understand the highways matters relating to the site.

On the proposition of Councillor Deacon, seconded by Councillor Hedgley it was by a majority vote

**RESOLVED**

That the Committee undertake a site visit to fully understand the highways matters relating to the site.

*Following the conclusion of this item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 3.13pm and was reconvened at 3.26pm.*

**7 DC/20/3284/FUL - Land West Side of Chapel Road, Grundisburgh**

*Note: Councillor McCallum left the meeting during the break; Councillor Tony Fryatt, the Committee's Vice-Chairman, acted as the Chairman for the remainder of the meeting.*

The Committee received report **ES/0801** of the Head of Planning and Coastal Management, which related to planning application DC/20/3284/FUL.

The application sought full planning permission for the development of 70 houses and associated infrastructure. The site was allocated in the Suffolk Coastal Local Plan (the SCLP) for the development of approximately 70 houses under Policy SCLP12.51.

This application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, set out in the East Suffolk Council Constitution, due to the level of public interest.

The Planning Manager advised the Committee that the application was a duplicate of planning application DC/20/3362/FUL, which had been deferred by the Committee earlier in the meeting, and the presentation that the Committee had already received on that application was also relevant for this application.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outline to the Committee.

There being no questions to the officers the Acting Chairman invited Mr Craig Plant, who objected to the application, to address the Committee.

Mr Plant reiterated the points he made when he addressed the Committee on application DC/20/3362/FUL. He welcomed the Committee visiting the site and an independent assessment of the highway safety issues; he encouraged the Council to undertake the latter to increase transparency for the benefit of the residents.

Mr Plant asked the Committee to consider reviewing the position and placement of footpath 20 as he contended the information in the application was not correct; he also noted that a civil engineering assessment of the widening of Park Road was not included in the application.

The Acting Chairman invited questions to Mr Plant.

Mr Plant acknowledged that the widening of Park Road would increase safety, providing that additional pedestrian was also included.

The Acting Chairman invited Councillor Ann Willetts, Vice Chair of Grundisburgh and Culpho Parish Council, to address the Committee. Councillor Willetts declined to address the Committee on this application.

The Acting Chairman invited Mr Geoff Armstrong, agent for the applicant, to address the Committee. Mr Armstrong was accompanied by Mr Chris Smith of Hopkins Homes and Ms Jessica Pratt of Cannon Consulting Engineers, who were present to answer any questions from the Committee.

Mr Armstrong asked that any instruction given to a highways consultant to review the safety concerns highlighted by the Committee include agreed timescales that could be shared with the applicant.

The Acting Chairman invited questions to Mr Armstrong, Mr Smith and Ms Pratt.

The Planning Manager confirmed that information on highways consultancy could be shared with the applicant. The Planning Manager said any such instruction would be an independent review of the proposals and the comments of Suffolk County Council as the Highways Authority and would not form a basis for formal proposals or endorsement.

Mr Armstrong confirmed that the addition of pavement at Park Road had been considered.

There being no debate on the application, the Acting Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report. This recommendation was not proposed or seconded and therefore **FAILED**.

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

## **RESOLVED**

That the application be **DEFERRED** to allow officers to seek secondary technical consultancy advice on highways matters, which would then be presented to the Committee prior to the application's determination.

**8 DC/21/1942/FUL - The George Community Inn, High Street, Wickham Market, Woodbridge, IP13 0SD**

The Committee received report **ES/0805** of the Head of Planning and Coastal Management, which related to planning application DC/21/1942/FUL.

The application sought full planning permission for the repair and restoration of the fire damaged George Public House, in Wickham Market. The scheme also included part two-storey and part single-storey rear extensions, and associated works to its curtilage. The building was proposed to be used as a public house with community rooms on the first floor. There was also an associated Listed Building Consent Application (DC/21/1943/LBC) for the site, which was on the agenda of this meeting for determination.

Both applications had been recommended for approval by officers, subject to appropriate conditions, contrary to the views of the Parish Council. Therefore the referral process (as set out in the East Suffolk Council Constitution) was triggered and the process route for the determination of the applications was decided by the Planning Referral Panel at its meeting on 15 June 2021; the applications were referred to Committee for determination as the project was considered to be of wider public interest.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

The site's location was outlined, and aerial photographs were displayed which demonstrated the application site's relationship with Wickham Market's village centre.

The Principal Planner outlined the site's proximity to sites allocated for development in the Suffolk Coastal Local Plan (the SCLP).

Photographs of the George Public House, prior to the fire that had damaged the building, were shown to the Committee, highlighting its relationship with the High Street. The Committee was also shown photographs of the exterior and interior of the site taken after the fire, demonstrating the damage caused. These photos included the medieval wall that formed part of the building.

The Committee was shown photographs looking into the site from a variety of different locations.

The Principal Planner displayed the plans of the previous/existing extensions which were proposed to be demolished.

The proposed block plan, floor plans, roof plan, elevations and sections were displayed. The Committee also received a drawing demonstrating the site line from High Street.

The material planning considerations were summarised as:

- The principle of development
- Heritage and visual amenity (including Listed Building and Conservation Area)
- Community, social and economic considerations
- Accessibility, highway safety, parking, deliveries and Public Rights of Way
- Residential amenity:

- Noise, odour and fumes
  - Overlooking/loss of privacy
  - Daylight/sunlight
  - External lighting
- Waste disposal
  - Ecology
  - Construction phase

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

The Acting Chairman invited questions to the officers.

It was confirmed that the Council's Principal Design and Conservation Officer had not objected to the application.

The Principal Planner noted that there was vehicle access and parking on the site; this had not matched what had been originally approved but was out of time for any enforcement action.

In response to a query regarding the installation of a sprinkler system, the Principal Planner highlighted that this would be controlled by building regulations.

The Principal Planner stated that the building had been in its current state for the last eight years.

It was clarified that although a third party representation had suggested that the proposed chimney would be in operation for 24 hours a day, the application only sought its use during the kitchen's operating hours.

The Acting Chairman invited Mr Andrew West, who objected to the application, to address the Committee.

Mr West asked the Committee to reject the application on the basis of the number of caveats added by Wickham Market Parish Council to its recent recommendation for approval. Mr West considered the application to be huge for a residential zone and was inappropriate, unsympathetic and insensitive to residents. Mr West said that the area should be protected from an inappropriate extension that would be detrimental to the local area.

Mr West expressed concern about the location of the outdoor pizza oven and noted that despite a lift being proposed for first floor access, no disabled parking was included in the application. Mr West considered that the proposed parking would create traffic issues in the village.

Mr West said that adequate provision needed to be made for parking and the turning of delivery vans.

Mr West concluded by asking the Committee to refuse the application, considering it not to be a restoration given how little of the original building remained.

The Acting Chairman invited questions to Mr West.

Mr West confirmed that he was representing The George Neighbourhood Group, as its Chairman. Mr West stated that there had been no response of consultation from The George Management Committee.

Mr West acknowledged that there had been a public house on the site previously but highlighted that he had expected a replacement of what had existed before. Mr West reiterated that he did not consider the proposals to be a restoration of what the public house had been before.

The Acting Chairman invited Councillor Ivor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French said that the Parish Council, at a recent extraordinary meeting, had resolved to support the application and viewed it as an asset to the village. Councillor French highlighted the concerns raised at its extraordinary meeting, which had been included in the update sheet circulated to the Committee in advance of the meeting.

The Acting Chairman invited questions to Councillor French.

Councillor French acknowledged that the recent meeting of the Parish Council to consider the application had been contentious, but that the Parish Council had resolved to support the application with conditions. The Principal Planner noted that conditions to address many of the concerns had been included in the recommendation.

The Acting Chairman invited Mr Colin Owens, the applicant, to address the Committee.

Mr Owens explained that he was a member of the George Management Committee, which was making the application. Mr Owens considered some of the statements regarding the design of the proposals to be incorrect and referred to the design information contained in the application.

Mr Owens explained that a volunteer group to restore the pub had been formed following a public meeting in 2016; an extensive management consultation was then undertaken. Mr Owens considered that there had been significant community support to restore the George and this had been included in the draft Wickham Market Neighbourhood Plan. Mr Owens said that the proposals met the requirements of that draft plan.

Mr Owens highlighted to the Committee that the public house would create 12 new jobs and benefit the local community through the promotion of activity space.

The Acting Chairman invited questions to Mr Owens.

Mr Owens confirmed that the extraction chimney flue would only be in operation when the kitchen was being used.

The Acting Chairman invited the Committee to debate the application that was before it.

Councillor Bird suggested that Wickham Market Parish Council's resolution to support the application meant that its concerns had either been alleviated or were non-

existent. Councillor Bird said that the application would restore the building to its former and legally permitted use and highlighted that the Council's Principal Design and Conservation Officer had not objected to the application.

In respect of operating hours, Councillor Bird pointed out that this would be controlled through licensing legislation; he welcomed the restoration of what he considered to be a historic asset.

Councillor Hedgley noted that the building had been in a poor state for some time and supported its restoration, citing that operating hours would be controlled by licensing rather than planning legislation.

Councillor Newton expressed some concern about the parking arrangements but was in support of restoring what had become a derelict building.

Councillor Newton sought the addition of a condition regarding the installation of a sprinkler system. The Planning Manager suggested that the Principal Design and Conservation Officer comment on this proposal and the Acting Chairman invited him to do so.

The Principal Design and Conservation Officer highlighted that the installation of a sprinkler system could have an impact on a listed building and this would be better controlled through the listed building application which was still to be determined by the Committee.

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

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

## **RESOLVED**

That the application be **APPROVED** subject to the following 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 not be carried out other than in complete accordance with:

The following drawings/documents received on 21 April 2021

- Drawing 240653-PUR-00-XX-DR-A-1000 Revision P03 (Site Location Plan)
- Drawing 240653-PUR-00-XX-DR-A-1014 Revision P03 (Ground Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1015 Revision P03 (First Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1016 Revision P03 (Roof Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-2002 Revision P05 (Proposed Basement Plan),
- Window Schedule
- Door Schedule

- Internal Materials Schedule
- Timber frame repairs document

The following drawings/documents received on 4 June 2021:

- Drawing 240653-PUR-00-XX-DR-A-2001 Revision P07 (Proposed Site Plan),
- Drawing 240653-PUR-00-XX-DR-A-2003 Revision P07 (Proposed Ground Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2004 Revision P07 (Proposed First Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2005 Revision P07 (Proposed Roof Plan),
- Drawing 240653-PUR-00-XX-DR-A-2006 Revision P07 (Proposed Elevation 1),
- Drawing 240653-PUR-00-XX-DR-A-2007 Revision P07 (Proposed Elevation 2),
- Drawing 240653-PUR-00-XX-DR-A-2008 Revision P07 (Proposed Elevation 3),
- Drawing 240653-PUR-00-XX-DR-A-2009 Revision P04 (Proposed Section A),
- Drawing 240653-PUR-00-XX-DR-A-2010 Revision P04 (Proposed Section B),
- Drawing 240653-PUR-00-XX-DR-A-2014 Revision P05 (Ground Floor Plan Fire Strategy)
- Drawing 240653-PUR-00-XX-DR-A-2016 Revision P05 (First Floor Plan Fire Strategy)
- Drawing 240653-PUR-00-XX-DR-A-2017 Revision P04 (Eyeline Elevation)
- Drawing 240653-PUR-00-XX-DR-A-2018 Revision P05 (Interpretation Plan)
- Drawing 240653-PUR-00-XX-DR-A-2020 Revision P04 (Bin Plan)
- Drawing 240653-PUR-00-XX-DR-A-2021 Revision P01 (Proposed Elevation 4 and 5)
- Drawing 5101 Revision P04 (Mechanical Services Ventilation Layout Ground Floor Plan),
- Drawing 5102 Revision P04 (Mechanical Services Ventilation Layout First Floor Plan),
- Drawing 5103 Revision P02 (Mechanical Services Ventilation Layout Roof Plan)
- Combined Design, Access and Heritage Statement, Rev 003 , June 2021 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 avoidance of doubt as to what has been considered and approved.*

3. No development shall commence until a detailed method of construction statement has been submitted to and approved by the Local Planning Authority. This statement shall set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

*Reason: To reduce the potential impacts of noise pollution upon nearby residents during the construction phase of the development.*

4. The premises herein referred to, shall be used as a Public House with community spaces and for no other purpose (including any other purpose of the Schedule to the Town and Country Planning [Use Classes] Order 1987(as amended)) (or any Order revoking or re-enacting the said Order).

*Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment.*

5. The premises (building and associated outside areas) shall not be open to the public other than between the hours of 07:00 and 00:00 and all members of the public shall have vacated the premises by 00:00, unless otherwise agreed in writing by the local planning authority.

*Reason: In the interests of amenity and the protection of the local environment. (Note these hours will also be controlled via any licence).*

6. Deliveries to and collections from the premises and vehicle movements within the site shall be between 8:30am and 9pm Monday to Saturday with none being undertaken on Sundays and Bank Holidays, unless otherwise agreed with the Local Planning Authority.

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

7. Noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, air intakes, fans, air conditioning plant and refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L<sub>Ar,T</sub>) of at least 5dB below the typical background sound level (L<sub>A90,T</sub>) 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 interests of amenity and the protection of the local environment. (note in order to achieve these levels the details acoustic fencing referred to in conditions below may need to be included as part of the assessment).*

8. Music Noise Levels from the premises shall comply with the requirements as set out in Section 4.6.1 of the Adrian James Acoustics Limited Stage 3 Acoustics Report for The George Community Pub, dated 10 February 2021.

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

9. The agreed noise levels, and/or noise mitigation work, should be validated prior to first occupation and use. A validation report should therefore be submitted to, and approved in writing by, the Local Planning Authority prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- Results of surveying and/or monitoring carried out to demonstrate that the measures in the agreed noise report have been implemented and any agreed noise levels achieved.

It is recommended that the validation methodology should be agreed with the Local Planning Authority prior to the assessment being undertaken.

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

10. 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. Details of the proposed means of disposal of grease shall also 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 maintained and retained in the approved form thereafter.

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

11. Prior to works commencing on the structure to enclose the flue, precise details of the height of the structure above the ridge level, and its materials and finish shall be submitted to and agreed by the Local Planning Authority. Thereafter only the approved details shall be implemented.

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

12. Prior to first use of the condensers to serve kitchen (located towards the eastern end of the site) they shall be enclosed with an acoustic enclosure, full details of which shall be submitted to and agreed by the Local Planning Authority (to include full dimensions, materials of construction and appearance). Thereafter, the enclosure shall be retained and maintained in its approved form, unless otherwise agreed with the Local Planning Authority.

*Reasons: In the interests of amenity and the protection of the local environment, including the setting of the Listed Building and Conservation Area.*

13. Prior to first use of the three air source heat pumps to be installed on the flat roof, they shall be enclosed with an acoustic enclosure, full details of which shall be submitted to and agreed by the Local Planning Authority (to include full dimensions, materials of construction and appearance). Thereafter, the enclosure shall be retained and maintained in its approved form, unless otherwise agreed with the Local Planning Authority.

*Reasons: In the interests of amenity and the protection of the local environment including the Listed Building and Conservation Area.*

14. The areas to be provided for storage and presentation of Refuse/Recycling bins as shown the approved plans shall be provided in their entirety before the development to which they are associated is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users, and to ensure adequate refuse/recycling facilities are accommodated on site in the interests of amenity.*

15. Prior to the building being opened to customers/the public, the areas of hardstanding and soft landscaping shown on the hereby approved drawings shall be laid/created, in accordance with details that shall be submitted to and agreed with the Local Planning Authority prior to commencement of the landscaping works (to include precise details of the proposed paviours pattern, material, colour and finish of the hard surfacing).

*Reason: To ensure that refuse recycling bins are not stored Wall and Gates to George Lane*

16. Prior to the use of the rear garden area recommencing for patrons of The George, the wall and gates along the northern side of the rear garden area, adjoining George Lane shall be

erected and completed in their entirety, in accordance with details that shall be submitted to and agreed with the Local Planning Authority prior to construction (details to include height, width, brick bonding pattern, other detailing and materials (including type, colour and finish)). Thereafter the wall and gates shall be retained in their approved form.

*Reason: In the interests of residential and visual amenity and the protection of the setting of the Listed Building and Conservation Area.*

17. Prior to the use of The George recommencing, an area(s)/structure for cycle parking/storage shall be installed/created and be made available for use, in accordance that shall be submitted to and agreed with the Local Planning Authority prior to construction (details to include the height, depth and width, materials and appearance of cycle racks/structure). Thereafter the cycle parking/storage shall be retained and maintained for use on site in their approved form, unless alternative provision is permitted.

*Reason: To promote the use of cycling to and from the site, and to ensure that such provision is appropriately designed for the setting of the Listed Building.*

18. Prior to the construction of the hereby permitted smoking shelter, full and precise details shall be submitted to and be approved by the Local Planning Authority (details to include the height, depth and width, and materials/finished appearance).

Thereafter only the approved shelter shall be constructed.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

19. Prior to the commencement of works to replace/install the lean-to roof on the outbuilding, full and precise details shall be submitted to and be approved by the Local Planning Authority (details to include the eaves and ridge height, gradient, and materials/finished appearance). Thereafter only the approved details shall be constructed.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

20. Prior to the construction of the hereby permitted pizza oven, full and precise details of the pizza oven and means to control smoke and odours, shall be submitted to and be approved by the Local Planning Authority (details to include the height, depth and width, and materials/finished appearance of the oven and any flue and/or other equipment to control smoke and odours, and if mechanical odour and smoke control is proposed, full details of the noise levels of any such equipment). Thereafter, prior to first use the approved pizza oven and associated equipment shall be installed in their entirety in their approved form and be retained in that form thereafter.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

21. No external lighting shall be installed within the site either on the buildings, walls or ground mounted unless details have first been submitted to the Local Planning Authority. The approved lighting shall be maintained in its approved form in perpetuity.

*Reason: To ensure any external lighting is designed in a manner having regard to visual amenity and residential amenity in accordance with Policy SCLP11.1 of the Local Plan, and appropriate for the Listed Building, its setting and the Conservation Area.*

22. The hereby approved area of flat roof shall not be used as a recreational or sitting out area, and access to it via the hatch on the southern side of the rear wing shall be for maintenance purposes only.

*Reason: To enable the local planning authority to retain control, in the interest of amenity.*

23. Prior to the use of The George recommencing, the bat and bird boxes as shown on the hereby approved drawings shall be installed.

*Reason: In the interests of ecological enhancement.*

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. The works undertaken must also comply with the conditions on the associated Listed Building Consent (reference number DC/21/1943/LBC).

3. There is a public right of way (PROW) in the vicinity of the proposed site: Footpath 9 and Footpath 10 Wickham Market. The Definitive Map for Suffolk (divided into parishes) can be seen at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-insuffolk/view-definitive-maps-of-public-rights-of-way/>. A more detailed plot of public rights of way can be provided. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

The Applicant is advised to take the following into account:

A) PROW are divided into the following classifications:

- . Public Footpath - only for use on foot or with a mobility vehicle
- . Public Bridleway - use as per a public footpath, and on horseback or by bicycle
- . Restricted Byway - use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
- . Byway Open to All Traffic (BOAT) - can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle.

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW).

There may be other PROW that exist which have not been registered on the Definitive Map.

These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years

of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk).

B) PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed as per point D below.

C) The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

We do not keep records of private rights and suggest that a solicitor is contacted.

D) The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW.

Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

. To apply for permission to carry out work on a PROW, or seek a temporary closure - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

. To discuss applying for permission for structures such as gates to be constructed on a PROW - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roadsand-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

E) To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

F) Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed

without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

G) Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/>.

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

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

The County Council's East Area Manager must be contacted on Telephone: 01728 652400.

Further information can be found at: <https://www.suffolk.gov.uk/environment-andtransport/highways/dropped-kerbs-vehicular-accesses/>.

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

5. The applicant is advised that the proposed use of the building will require a license, which will need to be sought and complied with alongside the conditions on this planning permission.

6. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

7. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. acts relating to

environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

8. The development included (or appears to include) one or more of the following:
- i. works to an existing wall or structure shared with another property;
  - ii. the construction of a wall or building on or close to a property boundary;
  - iii. excavations near a neighbouring buildings.

You are advised that the provision of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available from the Department for Communities and Local Government - <https://www.gov.uk/party-wall-etcact-1996-guidance>.

9. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

10. The applicant is advised that advertisements fixed to the building and any other advertisements on and/or around the premises may require advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) and/or Listed Building Consent.

Informal guidance on the possible need for consent can be sought via

- the 'Interactive Terrace'

at [https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission/119/interactive\\_terrace](https://www.planningportal.co.uk/info/200125/do_you_need_permission/119/interactive_terrace)

- on the East Suffolk Council website via

<https://www.eastsuffolk.gov.uk/planning/planningapplications-and-enforcement/find-out-if-you-need-planning-permission/advertisementconsent/>

- or from the Local Planning Authority by submitting an application for 'pre-application advice', details of which can be obtained via

<https://www.eastsuffolk.gov.uk/planning/planning-applications-and-enforcement/find-out-if-you-need-planning-permission/pre-application-advice-service/>

11. The applicant is advised that East Suffolk Council's Environmental Protection Team have stated that they would be happy to discuss the requirements of the noise conditions with the applicant and their consultants at a suitable time. The Environmental Protection Team can be contacted via [environment@eastsuffolk.gov.uk](mailto:environment@eastsuffolk.gov.uk).

12. This consent includes conditions which require discharge prior to certain works taking place and/or the use commencing. These will require formal approval via a discharge of condition application(s). Multiple conditions on a single consent can be submitted for discharge/approval via a single discharge of condition application, with a single application fee. A number of the conditions are interdependent/affect one another (e.g. those relating to noise levels and equipment that maybe noise generating), and therefore it is recommended that the details for these conditions are submitted for approval under the same discharge of condition application.

**DC/21/1943/LBC - The George Community Inn, High Street, Wickham Market, Woodbridge, IP13 0SD**

The Committee received report **ES/0806** of the Head of Planning and Coastal Management, which related to planning application DC/21/1943/LBC.

The application sought Listed Building Consent for the repair and restoration of the fire damaged George Public House, in Wickham Market. The scheme also included part two-storey and part single-storey rear extensions, and associated works to its curtilage. The building was proposed to be used as a public house with community rooms on the first floor. The associated planning application DC/21/1942/FUL, had been approved by the Committee earlier in the meeting.

Both applications had been recommended for approval by officers, subject to appropriate conditions, contrary to the views of the Parish Council. Therefore the referral process (as set out in the East Suffolk Council Constitution) was triggered and the process route for the determination of the applications was decided by the Planning Referral Panel at its meeting on 15 June 2021; the applications were referred to Committee for determination as the project was considered to be of wider public interest.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

An aerial photograph of the site was displayed, outlining the site's relationship to the village centre.

The Committee received street view photographs of the building, taken before the fire in 2011. Photographs of the site taken in 2021, showing the damage to the building, were also displayed.

The Principal Planner displayed the plans of the previous/existing extensions which were proposed to be demolished.

The proposed block plan, floor plans, roof plan, elevations and sections were displayed.

The material planning considerations were summarised as:

- The impacts upon the heritage of the Listed Building:
  - Restoration of the long term historic use as a Public House
  - The impacts of the extensions upon the Listed Building
  - Restoration/reinstatement of the fire damaged building, and securing its long term future

The Principal Planner noted that the proposals would preserve the special interest of the Grade II Listed Building, its setting and the setting of the nearby listed buildings, and that the scheme complied with the requirements of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, and Local Plan Policies SCLP11.2 (Historic Environment) and SCLP11.4 (Listed Buildings).

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

There being no questions to the officers the Acting Chairman invited Mr Andrew West, who objected to the application, to address the Committee.

Mr West outlined his concerns about the extraction chimney flue; he considered it would be an incongruous structure and noted it would be running for 24 hours a day due to no windows or other ventilation for the kitchen.

Mr West said that this would result in noise pollution which had been a concern of Environmental Health, and suggested controlling conditions to prevent reverberation occurring, should the application be approved. Mr West added that there had been no assessment of air flow and considered that there were too many unaccepted and unresolved factors related to the proposals.

At the conclusion of Mr West's address, The Planning Manager advised the Committee that many of Mr West's comments had related to planning matters and not listed building matters and reiterated that this application was for Listed Building Consent.

There being no questions to Mr West the Acting Chairman invited Councillor Ivor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French advised that his address to the Committee on the previous application (see item 8 of these Minutes) was applicable to this application also.

There being no questions to Councillor French the Acting Chairman invited Mr Owens, the applicant, to address the Committee.

Mr Owens considered there had been misdirection in previous statements made about the application; he said that the Listed Building Consent sought to restore the building to its use as a viable public house and that if the application was not approved, this could not be achieved and would result in a heritage asset deficit.

There being no questions to Mr Owens, the Acting Chairman invited the Committee to debate the application that was before it.

Councillor Deacon noted that it was disappointing that the Ward Member for Wickham Market had not attended the meeting.

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

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

## **RESOLVED**

That the application be **APPROVED** subject to the following 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 18 of the Act (as amended) Plans/Documents Approved*

2. The development hereby permitted shall not be carried out other than in complete accordance with:

The following drawings/documents received on 21 April 2021

- Drawing 240653-PUR-00-XX-DR-A-1000 Revision P03 (Site Location Plan)
- Drawing 240653-PUR-00-XX-DR-A-1014 Revision P03 (Ground Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1015 Revision P03 (First Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1016 Revision P03 (Roof Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-2002 Revision P05 (Proposed Basement Plan),
- Window Schedule
- Door Schedule
- Internal Materials Schedule
- Timber frame repairs document

The following drawings/documents received on 4 June 2021:

- Drawing 240653-PUR-00-XX-DR-A-2001 Revision P07 (Proposed Site Plan),
- Drawing 240653-PUR-00-XX-DR-A-2003 Revision P07 (Proposed Ground Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2004 Revision P07 (Proposed First Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2005 Revision P07 (Proposed Roof Plan),
- Drawing 240653-PUR-00-XX-DR-A-2006 Revision P07 (Proposed Elevation 1),
- Drawing 240653-PUR-00-XX-DR-A-2007 Revision P07 (Proposed Elevation 2),
- Drawing 240653-PUR-00-XX-DR-A-2008 Revision P07 (Proposed Elevation 3),
- Drawing 240653-PUR-00-XX-DR-A-2009 Revision P04 (Proposed Section A),
- Drawing 240653-PUR-00-XX-DR-A-2010 Revision P04 (Proposed Section B),
- Drawing 240653-PUR-00-XX-DR-A-2014 Revision P05 (Ground Floor Plan Fire Strategy)
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- Drawing 240653-PUR-00-XX-DR-A-2020 Revision P04 (Bin Plan)
- Drawing 240653-PUR-00-XX-DR-A-2021 Revision P01 (Proposed Elevation 4 and 5)
- Drawing 5101 Revision P04 (Mechanical Services Ventilation Layout Ground Floor Plan),
- Drawing 5102 Revision P04 (Mechanical Services Ventilation Layout First Floor Plan),
- Drawing 5103 Revision P02 (Mechanical Services Ventilation Layout Roof Plan)
- Combined Design, Access and Heritage Statement, Rev 003 , June 2021 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 avoidance of doubt as to what has been considered and approved.*

3. No building work shall commence until details of the following have been submitted to and approved by the local planning authority:

- I. The replacement roof structure to the historic range (to show materials, joints, general arrangement of structural elements and junctions with the existing elements, in both plan and section).
- II. roof covering (i.e. specific tile for the pitched elements and material for flat roofed area),

- III. Roof edging detailing including eaves, verge, barge boards and capping pieces (including shape, material and finish),
- IV. External wall materials (including material, colour and finish),
- V. Representative details of new and replacement windows in both the historic range and extension (including full details of their appearance, profile of frame and glazing bars, method of opening, ironmongery, materials and finish).
- VI. Representative details of new and replacement internal doors in both the historic range and the new extension (including full details of appearance, materials, finish and ironmongery).
- VII. Representative details of new and replacement external doors in both the historic range and the new extension (including full details of appearance, materials, finish and ironmongery).
- VIII. Ventilation intake, grills and exhaust vents (including precise size, position, materials, colour and finish).
- IX. and
- X. Hand painted signage.

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

*Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.*

4. The new roof light shall be black painted cast metal conservation-style rooflight with a vertical glazing bar down the middle.

*Reason: In the interests of the conservation of the historic structure and fabric of the building.*

5. All rainwater pipes and gutters shall be black cast iron black circular/half circular (as stated on the application form) and thereafter permanently maintained in that colour unless otherwise agreed in writing with the local planning authority.

*Reason: To ensure the character of the listed building is safeguarded Internal wall finish*

6. All internal plastered walls shall have a lime plaster finish, as stated on the finishes schedule received 21 April 2021, unless otherwise agreed by the Local Planning Authority.

*Reason: To ensure the character of the listed building is safeguarded Submission of Heritage Assessment to HER*

7. No development shall commence, until a copy of the " Historic Building Record of 2015 by Heritage Collective ", submitted with this application has been submitted to the Suffolk Heritage and Environment Record (HER).

*Reason: To ensure the proper recording of the historic building.*

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. The works undertaken must also comply with the conditions on the associated Planning Permission (reference number DC/21/1942/FUL).

3. The current contact details for Suffolk Heritage and Environment Record (HER) are Historic Environment Record Officer, Suffolk County Council Archaeological Service, 9-10 The Churchyard Shire Hall, Bury St Edmunds, Suffolk, IP33 1RX, Telephone: 01284 741232, fax 01284 741230, email: [archaeology.her@suffolk.gov.uk](mailto:archaeology.her@suffolk.gov.uk).

#### **10 DC/21/1226/FUL - 41 Knight Road, Rendlesham, IP12 2GR**

The Committee received report **ES/0807** of the Head of Planning and Coastal Management, which related to planning application DC/21/1226/FUL.

The application sought to change the use of 41 Knight Road, Rendlesham from a C3 residential use to a C2 residential institution to be used as a children's home for up to 5 children.

The application was presented to the Planning Referral Panel on 11 May 2021 as Rendlesham Parish Council had objected to the proposal, which was contrary to the officer recommendation of approval. Members considered that given the Parish Council objection and level of local interest, including from the Ward Member, the application should be determined by the Committee.

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 Committee was shown an aerial photograph of the site.

Photographs of the site from street level were displayed, demonstrating various views of the building.

The Committee was shown the proposed floor plans and parking plans.

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

The Acting Chairman invited questions to the officers.

It was confirmed that the parking plan had been submitted by the applicant.

The Chairman invited Ms Susan Ansdell, who objected to the application, to address the Committee.

Ms Ansdell explained that she was the nearest neighbour to the property and objected to the application being made; she considered that there were inconsistencies and omissions in the report presented to the Committee.

Ms Ansdell highlighted that the property was a 4-bedroom house and the plan showed seven proposed bedrooms, which was not addressed in the report. Ms Ansdell said that even with the applicant's claim of no significant change, the change of use would result in more noise.

Ms Ansdell considered there would be no break in the traffic and noise generated by the new use of the site and stated there was no illustration of what the parking would look like during a shift handover, noting that there could be up to eight cars present at any one time. Ms Ansdell added that there was no indication that the proposed parking plan was to scale and there was no mention of disabled parking.

Ms Ansdell queried if new shift patterns would be implemented in the future and suggested that noise levels would rise as people entered and exited the site. Ms Ansdell said that the concerns raised by the Highways Authority and Environmental Health needed to be addressed.

There being no questions to Ms Ansdell the Acting Chairman invited Councillor Dave Moore, representing Rendlesham Parish Council, to address the Committee.

Councillor Moore said that the Parish Council was not opposed to a children's home but objected to this particular application due to the traffic and vehicle movement that would be generated by staff accessing the site and shift changeovers.

Councillor Moore considered that there would be excessive manoeuvring of vehicles on the site late at night due to the lack of parking capacity. Councillor Moore also noted a covenant on the building; although the applicant was intending to address this through indemnity insurance Councillor Moore considered that the covenant could not be overturned and stated that the Parish Council would seek to uphold this covenant.

There being no questions to Councillor Moore the Acting Chairman invited Mr Catalin Condurat and Ms Debbie Hill, the applicants, to address the Committee.

Mr Condurat stated that there was a need to increase provision for children in need in Suffolk and that the application sought to help achieve this.

Ms Hill noted that although the company was new, she and Mr Condurat had several years of experience in running a children's home. Ms Hill said that several houses in the area had a similar number of vehicles and that they had limited parking to five spaces on the site, when up to nine could be provided.

Ms Hill highlighted that staff would live nearby and that car sharing would be encouraged, and considered that the development would support the local community. Ms Hill assured the Committee that a concerted effort would be made to ensure information was shared with local residents to alleviate any concerns.

The Acting Chairman invited questions to Mr Condurat and Ms Hill.

It was noted that the children accessing the provision would usually come from neighbouring local authorities, but could come from anywhere in the country.

The applicants welcomed the suggestion of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

The Acting Chairman invited the Committee to debate the application that was before it.

Councillor Bird was amenable to the provision of such a facility but had concerns over the parking provision and the potential movements of vehicles on the site, as the site would have visitors as well as staff driving to and from it.

It was confirmed that during the day there would be five care staff on site plus a manager and that at night there would be two care staff on duty.

Councillor Hedgley expressed concerns about parking in what was primarily a residential area.

Councillor Blundell cited a lack of information on how the provision would be financed and supplied.

Councillor Deacon said he supported the addition of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

There being no debate the Acting Chairman moved to the recommendation to approve the application, as set out in the report, with the addition of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

On the proposition of Councillor Blundell, seconded by Councillor Yule it was by a majority vote

## **RESOLVED**

That the application be **APPROVED** subject to the following 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 (with the exception of the additional parking of Suffolk Drive) strictly in accordance with Site location plan received 18 May 2021 and floor plan and parking plan received 25 May 2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The premises herein referred to, shall be used as a children's residential home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town

and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order).

*Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment.*

4. No more than five children shall be in residence at the property at any one time.

*Reason: For the avoidance of doubt what has been considered and approve, in the interest of amenity and protection of the local environment.*

5. Additional condition regarding the paving of the green space, for parking (wording to be drafted).

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. The applicant is however reminded of their responsibility to prevent statutory nuisance and the premises should be managed with this in mind.

3. This approval relates only to the grant of planning permission and does not over-rule any restrictive covenant on the site, nor does it permit the use of Suffolk Drive, or any other private space for parking, access or any other purpose in association with the permitted use.

#### **11 DC/21/1486/FUL - Stone Farm, Station Road, Blaxhall, IP12 2DF**

The Committee received report **ES/0808** of the Head of Planning and Coastal Management, which related to planning application DC/21/1486/FUL.

The application sought full planning application for the conversion of the barn to a residential dwelling; the application site was located in the countryside in the Parish of Blaxhall. Prior approval had previously been granted for a similar conversion.

Given the barn is of a relatively modern construction, it was not considered to make a positive contribution to the character of the landscape' as required by Policy SCLP5.5 of the Suffolk Coastal Local Plan (the SCLP) and therefore the proposal was considered to be contrary to the SCLP.

However, given the fallback position of the existing prior approval, officers had considered that the application should be supported as a departure to this policy. The application was therefore presented to the Committee for determination.

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 Committee was also shown an aerial photograph of the site.

The Committee received photos of the site demonstrating various views of the barn proposed for conversion.

The existing plans were demonstrated to the Committee, along with the approved plans compared with the proposed plans.

The material planning considerations and key issues were summarised as the principle of development and the fallback position.

The recommendation to approve the application subject to conditions, as set out in the report, was outlined to the Committee.

There being no questions to the officers, the Acting Chairman invited Mr Jason Parker, agent for the applicant, to address the Committee.

Mr Parker outlined the benefits the development would bring, including those of an ecological nature. Mr Parker considered that the extant planning permission established a principle of development and that the application only proposed minor changes from what had been agreed.

There being no questions to Mr Parker, and no debate on the application, the Acting Chairman moved to the recommendation to approve the application, as set out in the report.

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

## **RESOLVED**

That the application be **APPROVED** subject to no objections being raised by Environmental Protection which cannot be dealt with by condition, and further conditions as detailed below:

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 A 02-04 and A02-05A received 25 March 2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

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

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

5. The use shall not commence until the area within the site on dwg. no. A02-04 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.*

6. Before the development is commenced details of the areas to be provided for secure cycle storage and electric vehicle infrastructure 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 transport choices*

7. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number A02-04 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England (Order) 2015 (as amended) or any Order revoking or re-enacting the said Order, no development of any kind specified in Part 1, Classes A-E and Part 2, Class A of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the local planning authority. (These Classes refer to alterations, extensions, outbuildings and means of enclosure).

*Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.*

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National

Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

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

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

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

CIL forms can be downloaded direct from the planning portal: [https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5).

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

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

## **12 DC/21/0861/FUL - Coach House Cottage, The Street, Eyke, IP12 2QG**

The Committee received report **ES/0821** of the Head of Planning and Coastal Management, which related to planning application DC/21/0861/FUL.

The proposed development sought permission to erect a single-story dwelling and detached garage/ cart lodge in the rear garden of Coach House Cottage, The Street, Eyke.

The application was before the Committee for determination due to part of the site falling outside of the settlement boundary of Eyke and therefore the proposal was considered contrary to policy in regard to the erection of housing within the countryside.

The Committee received a presentation from the Trainee Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown 3D aerial views of the site.

The proposed block plan was displayed. The Committee was also shown a drawing outlining the site's relationship with the Eyke settlement boundary.

The Committee was shown photographs looking in and out of the site, the site access, and the rear garden of the host dwelling.

The proposed floor plans, elevations, sections and heights were displayed.

The key concerns and considerations were summarised as the location and accessibility, unsuitable access, levels, trees, landscape and setting, design, and residential amenity, overlooking and loss of privacy.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outlined to the Committee.

The Acting Chairman invited questions to the officer.

It was noted that vertical and horizontal cladding and glazing was proposed.

The Planning Manager acknowledged that the application did depart from the Council's Development Plan but said that looking at the application pragmatically the majority of the site was within the settlement boundary and therefore officers did not consider it to be contrary to the Development Plan.

The Trainee Planner confirmed that the settlement boundary broadly followed the rear gardens of dwellings on The Street.

The Acting Chairman invited Mr Peter Wells, agent for the applicant, to address the Committee.

Mr Wells noted that the settlement boundary passed through the rear garden of the host dwelling and did not follow a physical line. Mr Wells considered the application to offer a well designed contemporary dwelling which the applicant would move in to and leave the larger host dwelling to relatives.

Mr Wells acknowledged the comments of neighbours and highlighted that what was proposed was of a similar size to other dwellings in the area. Mr Wells said there were no windows that would overlook neighbouring properties.

Mr Wells said that the applicant had worked with officers carefully when developing the scheme and outlined the materials proposed in the report.

There being no questions to Mr Wells, the Acting Chairman invited the Committee to debate the application that was before it.

Councillor Bird said that taking a pragmatic approach did not grant a 'blank cheque' to departing from the Development Plan and said that each application should be considered on its own merits. Councillor Bird considered that a common sense approach should be taken.

Councillor Newton noted that the settlement boundary did not follow any physical line.

There being no further debate, the Acting Chairman moved to the recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management, as set out in the report.

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

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the receipt of RAMS payment and subject to the following controlling 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 PW1123/ PL02 Rev A and PL03 Rev A received 09/04/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

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

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

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

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

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

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).*

5. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).*

6. The use shall not commence until the area(s) within the site on dwg. no. PW1123\_PL02 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety*

7. 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.*

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

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

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

CIL forms can be downloaded direct from the planning portal: [https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5).

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

### **13 DC/21/2166/VOC - Proposed Cafe/Restaurant, Coastguard Walk, Felixstowe**

The Committee received report **ES/0809** of the Head of Planning and Coastal Management, which related to planning application DC/21/2166/VOC.

The application sought to vary conditions on this approved development to enable an area of the building previously proposed for community use to be used as the kitchen serving the café/restaurant. The proposal also sought to confirm table and seating arrangements for the outside garden area along with the extraction and ventilation plant and equipment for the building.

The application before the Committee for determination as the site was owned and being developed by the Council, although the application had been made by the future operator.

The Committee received a presentation from the Planner, on behalf of the case officer for the application.

The site's location was outlined, and the Committee was shown the elevations of the building.

The Committee was shown photographs of the ongoing development, which highlighted the area of the building where changes were proposed.

The existing and proposed block plans, and the ventilation and plant equipment drawings, were displayed.

The material planning considerations and key issues were summarised as:

- The loss of dedicated community spaces and alternatives put forward
- The effect of this on the overall consent previously approved
- The effect of the details submitted in respect of ventilation and extraction - noise and odour, including the larger kitchen
- Proposed landscaping now accommodating seating on the landscaped area in front of the building and external terrace, including visual and amenity effects

The recommendation to delegate authority to approve the variations of conditions to the Head of Planning and Coastal Management was outlined to the Committee.

There being no questions to officers the Acting Chairman invited Mr Chris Game, agent for the applicant, to address the Committee.

Mr Game explained that since the original application had been approved, a need to adapt to the 'new normal' of social distancing had become apparent. Mr Game said the improved facilities would comprise of a better use of the space than currently consented for.

Mr Game outlined that in response to a community consultation, only one neighbour had objected to the proposed changes. In regard to the concerns raised by Environmental Health, Mr Game confirmed that an acoustic consultant had issued clarification and documentation had been updated as a result.

The Acting Chairman invited questions to Mr Game.

Mr Game confirmed that there had been only one objection to the proposed changes.

There being no debate on the application the Acting Chairman moved to the recommendation to delegate authority to approve the variations of conditions to the Head of Planning and Coastal Management, as set out in the report.

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

## RESOLVED

That **AUTHORITY TO APPROVE** the variations of conditions be delegated to the Head of Planning and Coastal Management, subject to the receipt of final details and approval of extraction and ventilation equipment and a revised block plan, repositioning planters beside the path (these should be provided in advance of the Planning Committee meeting) and subject to an additional condition being imposed for the agreement and implementation of stage two of the community use agreement.

Conditions:

1. Following 12 months from the opening of the Café/Restaurant use, stage two of the community use agreement or strategy shall be submitted to the Local Planning Authority for consideration detailing the extent of use of the building for community purposes and activities along with any other facilities relied up in the area for this purpose. This will need to be agreed, implemented and maintained within 18 months from the opening.

*Reason: To ensure that the original community space is catered for in the longer term through alternative means.*

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the following plans received 31 July 2018,  
PL343-A01-01 - Location Plan  
Revised Internal Layout drawing ID01-04A,  
PL343 - A02-12 Proposed Elevations  
PL343 - A04-11 Proposed External Works Plan  
PL343 A02-02C (in respect of some landscaping, access and bin storage previously agreed)  
A02-13 Proposed Roof Plant Plan.

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

*Reason: To secure a properly planned development.*

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

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

4. The working hours in connection with the use/building[s] hereby permitted, shall not be other than between 8am and 11pm Monday to Saturday; 8am and 10pm on Sundays and Bank Holidays.

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

5. The ventilation and extraction equipment Detailed on drawings and documents (to be confirmed) shall be the only the equipment approved by means of this condition and shall be installed and operated.

*Reason: In the interest of residential amenity*

6. The delivery of goods and removal of waste shall restricted to undertaken only between 8am and 6pm Mondays to Saturdays and at no times outside of these hours.

*Reason: In the interest of residential amenity*

7. There shall be no live or amplified music outside of the building hereby approved.

*Reason: In the interest of residential amenity*

8. Prior to the commencement of development, a Construction Management and Deliveries Plan shall be submitted to the Local Planning Authority for approval. The construction of the dwelling hereby approved shall be undertaken in strict accordance with the approved Plan.

*Reason: In the interest of residential amenity and to reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.*

9. The access shall be completed in all respects in accordance with Drawing No. PL343 A02-02C and SCC Standard Drawing DM10; with an entrance width of 4.5m and be available for use before first occupation.

Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively closed to the satisfaction of the Highways Authority "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

*Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.*

10. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number PL343 A02-02C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

11. The use shall not commence until the area(s) within the site shown on drawing number PL343 A02-02C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking*

*and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.*

12. Before the use is commenced approved details of the areas to be provided for secure cycle storage shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision of sustainable secure cycle storage.

13. Before the access is first used means to prevent the discharge of surface water from the development onto the highway shall be carried out in its entirety and shall be retained thereafter in its approved form.

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

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.

The meeting concluded at 6:15pm.

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Chairman