

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held Remotely on **Tuesday, 14 July 2020 at 2:00pm**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Peter Byatt, Councillor Alison Cackett, Councillor Judy Cloke, Councillor Tony Cooper, Councillor Tony Goldson, Councillor Debbie McCallum

**Officers present:**

Liz Beighton (Planning Manager - Development Management), Joe Blackmore (Principal Planner - Development Management), Sarah Carter (Democratic Services Officer), Matthew Gee (Planner - Development Management), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Phil Perkin (Principal Planner - Major Sites), Iain Robertson (Planner - Development Management).

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**1 Apologies for Absence and Substitutions**

An apology for absence was received from Councillor Rivett.

Councillor Cooper attended the meeting as substitute for Councillor Rivett.

**2 Declarations of Interest**

Councillor Ceresa declared a Local Non-Pecuniary Interest in Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere as having awarded funding through her Locality Budget to Involve Active in Lowestoft and as Chairman of the Carlton Colville, Kessingland, Southwold and villages Community Partnership group that had awarded money in the past; and Item 12 – DC/20/1648/FUL – Jubilee Parade Chalets, Lowestoft, as County Councillor for the area.

Councillor Coulam declared a Local Non-Pecuniary Interest in Item 12 – DC/20/1648/FUL – Jubilee Parade Chalets, Lowestoft, as being Ward Member.

Councillor Elliott declared a Local Non-Pecuniary Interest in Item 7 - Land adjacent to West End Farm, Shadingfield, as having paid a social visit to the Shadingfield Fox. No discussions were undertaken with the landlord. This declaration was made during discussions on the item.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 12 – DC/20/1648/FUL – Jubilee Parade Chalets, Lowestoft, as being Ward Member.

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

Councillor Ashdown declared that he had been lobbied on Agenda Item 6 – DC/20/1049/VOC – Land South of Chediston Street, Halesworth, Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere.

Councillor Bond declared that she had been lobbied on Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere. She had made no response.

Councillor Brooks declared that he had been lobbied on Agenda Item 6 – DC/20/1049/VOC – Land South of Chediston Street, Halesworth, Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere.

Councillor Ceresa declared that she had been lobbied on Agenda Item 6 – DC/20/1049/VOC – Land South of Chediston Street, Halesworth, Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere. She had made no response.

Councillor Coulam declared that she had been lobbied on Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere.

Councillor Elliott declared that he had been extensively lobbied on Agenda Item 7 – DC/19/2195/FUL – Land adjacent to West End Farm, Shadingfield, and Agenda Item 8 – DC/19/3746/FUL – Project Gold Crest, Rushmere. He had given factual answers only.

#### **4a Minutes of the meeting held on 19 May 2020**

##### **RESOLVED**

That the Minutes of the Meeting held on 19 May 2020 be agreed as a correct record and signed by the Chairman.

#### **4b Minutes of the meeting held on 9 June 2020**

##### **RESOLVED**

That the Minutes of the Meeting held on 9 June 2020 be agreed as a correct record and signed by the Chairman.

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

The Committee received report ES/0423 which summarised the outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 30 June 2020. There were currently 18 such cases.

The Assistant Enforcement Officer advised that one case, relating to Harmony Hall, had unfortunately been omitted from the report; that would be rectified for the next Committee meeting. It related to unauthorised use of land and the notice had been served in March with compliance in August.

The Planning Manager advised the Committee that an appeal decision had been received with regard to 98 Tangham Cottages, Tangham, Capel St Andrew. The appeal against the enforcement notice had been dismissed with the compliance period increased from three months to six months.

## **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 30 June 2020 be received and noted.

### **6 DC/20/1049/VOC - Land South of Chediston Street, Halesworth**

The Committee considered report ES/0424 which gave details of the application to vary two highway related conditions attached to the outline consent DC/17/3981/OUT at land south of Chediston Street, Halesworth. It was proposed to amend the main vehicular access into the site from a roundabout to a priority junction.

Members were shown an aerial view of the site location and photographs of the site of the approved roundabout, the proposed revised access point on Roman Way and views along Roman Way. Further diagrams showed the location of the approved roundabout and the proposed revised access.

The Principal Planner explained that the revision for the access was due to an underground tank that had been installed to drain residential land opposite Roman Way. The location of that tank had not been known at the outline stage as it had not been necessary to carry out detailed site investigations prior to the outline stage.

The Principal Planner explained the material planning considerations and key issues particularly highlighting:

- The traffic survey figures having been adjusted following robust assessment on the local road network. The model would operate well within capacity.
- It was necessary to remove hedgerow from Roman Way but that was not dissimilar to the loss of hedge if a roundabout had been installed. There would be some extra planting in accordance with the conditions in the outline consent.
- Surface water drainage was not part of this report; conditions were in the outline consent. Details of any scheme would be required at the Reserved Matters stage and that would be referred to Committee at the point the application was submitted.
- The Section 106 Agreement for affordable housing would need to be amended in view of the variation.

The Highway Authority had confirmed it had no objection to revising the access into the site as existing junctions would continue to operate within capacity. The Highway Authority had advised that there had not been any recorded injury accident in the area in the past 10 years and, whilst having regard to the concerns of local residents and the Town Council, there were no grounds on either highway safety or traffic congestion on which the application could be opposed.

The Principal Planner confirmed that approval was being recommended subject to the variation to the Section 106 Agreement and the conditions outlined in the report.

The Chairman invited questions.

Members' raised specific questions relating to the highway layout, the drainage tank and the comparative cost of the necessary works. The Principal Planner advised that, at the outline stage, it was an indicative layout for the highway works. County Highways had no concerns over safety. The drainage tank was likely to have been installed in the 1970s/1980s when the housing opposite Roman Way was developed. The Planning Manager suggested that questions relating to the location of the tank and cost of roundabout/junction works could be addressed to the Applicant.

The Chairman invited public speakers to address the Committee.

Ms V Balboa explained that she was Transport Consultant for the Applicant with over 20 years' experience in transport and highways and amongst other things a member of the Chartered Institute of Logistics and Transport. The site at Chediston Street was allocated for housing and outline planning permission had been granted for the development. The roundabout and second limited access from Chediston Street had been illustrated on the drawings in the officer's presentation. At the outline stage, there had been knowledge of the tank but its location and size was unknown. A survey undertaken in 2019 had identified the location of the 50m tank which had shown it would be difficult to install a roundabout. Following an objection from Halesworth Town Council, the County Highways had reviewed the traffic data and the proposal met their required design standards. A right turn bay would be constructed and an island installed to help pedestrians.

Members raised questions relating to:

- The provision of a junction being cheaper than a roundabout.
- The tank not being identified in the original submission was misleading.
- Pedestrian access being suitable for cyclists.

Ms Balboa advised she had not been involved with the original application. The proposal fitted in with the topography of the site; costs would be comparable, the junction simpler but more earthworks would be required. The pedestrian access on the original scheme was to tie in with existing routes. There was no reason why this could not be for cyclists too as well as the link to the north. Assurance was sought on this point and Ms Balboa confirmed that it could be done.

As Ward Member, Councillor Goldson wished to draw attention to a previous meeting at which he had pointed out that the attenuation tanks were ineffectual and flooding still occurred. Chediston Street was not wide enough for more than one car and the roundabout could not be built as the land was not in the developer's ownership. Flooding in Chediston Street and Long Lane had still not been addressed and the water containment that had been built had never been successful. Members had not undertaken a site visit and that needed to take place. The B1123 was the main route going west for all vehicles, a small already busy road, and that could be used by over 200 cars from this development each day. The London Road junction would be impacted as it was used to travel east. It was just not suitable for the increase in traffic that would result and the land levels were some 30 feet higher. Members needed to undertake a site visit to see what they were voting for; an unacceptable proposal for all the reasons highlighted together with the effects of flooding in the area and if Sizewell C and the use of Flixton quarry went ahead, the additional traffic consisting of some 750 vehicles using the B1123.

The Chairman reiterated that the application was for a variation to the access point and asked that considerations be kept to that subject.

Comment was made that some Members were not happy with the application but the site had been allocated for housing. It appeared that the lack of information relating to the tank and flooding issues had not been given to Members at the time of the outline application which might have had an effect on their decision at that time. They understood the purpose of the roundabout was to assist traffic flows and reduce traffic speed. There appeared to be serious traffic issues and even a mini roundabout could avoid accidents.

The Planning Manager reminded Members that the variation application was for the acceptability of the revised access and cycle way. Any flooding issues would be addressed at the reserved matters stage and she gave an undertaking that reserved matters would come back to Committee. The proposal before the Committee was for an alternative access to a roundabout and the County Highways was satisfied with the proposal. Any changes would be for the Applicant to discuss with the Highway Authority.

The Chairman sought the views of the Agent and Ms Balboa advised she would need to consult with the Applicant.

It was proposed and duly seconded that a decision be deferred until after the developer had consulted the Highway Authority to see if an alternative proposal was acceptable.

The Planning Manager advised that the Applicant could appeal on non-determination of this application; the solution was acceptable to Highways and no issues regarding highway safety had been identified. County Highways should have undertaken a site visit when they were consulted on the application.

The Chairman suggested that an alternative proposal might be more acceptable than the junction in the application now being considered and that a deferral for one month would allow discussions to take place. The Planning Manager confirmed further

conversations could be undertaken with the Applicant and Highway Authority and be reported back to the Chairman and Vice-Chairman.

The Chairman requested the further particulars come back to Committee and having a proposal on the table, it was unanimously

#### **RESOLVED**

1. That, to allow officers to undertake discussions with the Highway Authority and Applicant on an alternative access, a decision be deferred.
2. That the outcome of those discussions be reported back to Committee.

***Note:** The meeting was adjourned at 3.05pm for a comfort break and reconvened at 3.15pm.*

#### **7 DC/19/2195/FUL - Land adjacent to West End Farm, Mill Lane, Shadingfield, NR34 8DL**

The Planning Manager updated the Committee by advising that at 12.06pm an email had been received from Shadingfield, Stradbroke and Thorndon Parish Councils asking the Secretary of State to call-in the application. That would not preclude Members considering the application and making a resolution on the report before them. If Members wished to support the application, the officers would wait to see if the call-in was accepted before the decision was issued. There was no legal obligation for a call-in to be accepted, each one was based on certain criteria and it would be the decision of the Secretary of State to endorse the call-in for a public Inquiry. The Council would notify the PCCU before any decision was issued.

In response to a question on timescale for a called-in application, the Planning Manager advised she could give no indication as it was in the hands of the National Planning Casework Unit (NPCU).

The Committee considered report ES/0425 which gave details of the application seeking planning permission for a poultry production unit, comprising three poultry houses with a capacity to house some 141,000 broiler chickens, and associated admin block, feed bins and vehicle access. The facility would serve the recently completed Crown Chicken processing plant at Eye.

Members were shown an aerial view, the site location plan, layout of the proposed site, footpaths and bridle ways and the location of the scheduled monument sites. Moat Farm was Grade II\* listed and currently uninhabited. Photographs across the fields gave an indication of the site and the access point along Mill Road and its junction with the main A145 road which would have a tapered area for HGVs. Due to the narrowness of Mill Lane, a passing bay at site 1 was being proposed. Further slides gave an indication of the floor plans, elevations, height of the silos and details of the office building.

The Planner outlined the material planning considerations and key issues and particularly highlighted:

- The principle of the development which was acceptable.
- Economic benefits and financial viability of the farm.
- Employment with numerous jobs in the supply chain.
- Moderate landscape impact which would be mitigated by landscaping.
- The less than substantial harm to the heritage assets.
- Traffic generation.
- Access and HGVs and traffic crossing London Road to which County Highways had no objection.
- Neighbour amenity.
- Regulation by the Environment Agency.

The Planner explained that it was considered any harm was outweighed by the benefits of the proposal in accordance with paragraph 196 in the National Planning Policy Framework and the application was therefore recommended for approval.

The Chairman invited questions.

Members raised question with regard to:

- The junction with the highway.
- Public rights of way particularly access along Mill Lane.
- Land to north of the site and future uses referred to in paragraph 7.65 of the report.
- Number of vehicles referred to in paragraph 7.112 of the report.

The Planner advised that County Highways considered there was no increased risks at the junction of Mill Lane and the A145 as it had previously been used by HGVs. Mill Lane itself was a public highway that was used by pedestrians. The area in the north of the site was being looked at by the Ecologist with a view to securing biodiversity benefits by way of planting. The details in paragraph 7.112 relating to traffic generation was information provided by the Transport Assessment.

The Chairman invited public speakers to address the Committee.

As an objector, Mr L Osmon advised that Suffolk Preservation Society and the media supported 90% of residents who were objecting to the planning application. The recommendation for approval was down to bias in the report as officers had not addressed the significant impact and harm identified. Suitable mitigation measures were not in place for those residents whose houses were only 400m from the site. Cooling fans would spew ammonia into the environment, HGVs arriving and departing at all hours, constant blazing lights, and 141,000 chickens being captured for slaughter would all play a part in damaging the lives of the villagers. Mill Lane was unsuitable for HGVs and Highways had no concerns over unreliable simulated data on traffic movements.

On behalf of the Joint Parish Councils, Ms C Ellis drew attention to the areas of concern and the overwhelming opposition of residents with 97 letters and the 28 material planning considerations. Whilst supporting localism and enabling communities and green issues, none of these were being protected and should be addressed. There were errors and omissions in the report; it was not objective and was not balanced. The increase in traffic and encroachment into the highway had not been recognised. The views of Historic England supported by Suffolk Preservation Society had been dismissed and demeaned by the planners. The landscape assessment was in favour of the applicant and the noise, odour and traffic had not been addressed. The proposed employment opportunities were not in Shadingfield. The view was that the Council had failed to take into account the views of residents and valid objections; how would that stand up to a judicial review? This was the time to listen to the residents and for the Council to show it did care.

As Applicant, Mr D Merrells thanked Members for their consideration. Having read the officer's report, it was considered that all matters had been dealt with satisfactorily. The environmental assessment showed that the proposal was satisfactory. If the sheds were approved, the facility would be properly managed and maintained and best practice undertaken. There were no subsidies on poultry farming and the proposal was to sustain the farm and his family. The modern design of the sheds would ensure the welfare of the birds and be managed to high standards. Any issues with noise, odour and ammonia had been fully addressed. The UK was only 60% self-sufficient in chicken and the proposal would help to increase sufficiency with the UK leaving the EU. He and his agent, Mr J Rankin, were happy to answer any questions.

The Chairman invited questions.

Members raised the following issues:

- Could 21 birds per sqm be considered to be high welfare standards?
- Ammonia blowing over the village and the necessity of the village pub being able to use its beer garden.
- The use of the fans.
- Bird flu.

The Planning Manager advised that the ethics of bird rearing was not a material planning consideration; Members were considering the planning matters associated with the sheds only.

Mr Rankin advised that the design of the sheds would avoid emissions of dust or otherwise. The ridge and gable end fans were back-up and for the benefit and welfare of the birds in high temperatures. The fans would not deal with emissions into the atmosphere. With the ammonia receptor, all Environment Agency standards would be met.



The Planning Manager advised that, if approval was granted, there were conditions that dealt with noise and ammonia and the Council's Environmental Health Team had no objections. The proposed conditions were robust and would be monitored.

Ward Member Councillor J Cloke addressed the Committee and advised that having visited the site, there were serious concerns. The junction to the site was on the A145 and she could foresee issues with motorists and HGVs and it would only take one accident for a fatality to occur. County Highways was not concerned about the junction but it was not infallible. With heavy traffic already, there would be a cumulative effect as a result of the use of the sheds and consideration should be given to the restrictive roads between Shadingfield and the chicken processing plant in Eye. Councillor Cloke drew attention to the statement issued in June by a cross party group of 11 County Councillors. A holistic approach was needed to address cheap meat, stress on the birds, new viruses being bred, a bird flu pandemic, transporting livestock and diseases spreading from 141,000 birds. The B1062 through Flixton was already blighted. The erection of the sheds would not only blight the lives of residents but also affect the local pub with the smell of the sheds drifting across the beer garden. The processing plant was in Eye, therefore no local employment would be created. The vents might help the chickens and their minders but it would be a really unpleasant experience for everyone else with noise, dust, flies and smells similar to that generated by the bio plant at Ellough. The sheds should not be constructed too close to the village. Councillor Cloke urged the Committee to refuse the application.

Some Members expressed concerns over the impact of the application, similar to an industrial development in a rural location. There would be a significant impact on the landscape and heritage assets and the NPPF was careful to ensure the protection of sites of scheduled monuments in the vicinity. Suffolk Preservation Society and Historic England both objected. The highway junction could not be built to an acceptable standard for HGVs and there were concerns about the public rights of way for walkers. It was vital to ensure the future of the public house as its closure would be a great loss to the community. Neighbourhood amenity would be affected by noise, odours and ammonia and to say it would have an insignificant impact on residents was incorrect; it would have a significant impact on residents. Further comment was made that it was contrary to the Neighbourhood Plan of the local Parish Council, in that all new development should take account of identified heritage assets and the Council's own Local Plan stated the importance of conserving and enhancing character and tranquillity. A view was that this application did not fall within that criteria and could not be supported. It appeared that entire hedgerows were to be cut down leaving the whole site on view. The serenity of the village would be damaged. The development belonged on an industrial estate. It was also considered that the junction with the A145 was also an issue which should be opposed. The proposed employment benefitted those in Eye and such a development should not ruin this part of the Suffolk countryside.

The Principal Planner referred to highway safety matters in the NPPF and that an application could only be refused if there was an impact on highway safety. The access here could not be changed and there were insufficient grounds on highway safety to refuse the application. If approved, the relevant conditions would address highway matters.

The Planning Manager explained that the existing junction was already used by agricultural machinery and the proposed management of vehicles would help with HGVs using the junction. The Council's Conservation and Design Manager had reviewed the application and in his opinion the heritage asset would not be adversely affected by the proposed agricultural buildings.

A Member asked if the major issues could be addressed by the Committee undertaking a site visit, if that option was available at the present time.

The Planning Manager advised that any site visit might be difficult under the Covid 19 situation. She explained that Members were considering a full report and there had been clear guidance from the Conservation and Environmental Health Teams. The use of the buildings were better managed nowadays and in accordance with the relevant environmental permit. The advice from County Highways was that matters could be dealt with by way of condition. Employment was significant and the number of jobs being provided could be at another processing facility, not just Eye. Whilst accepting the local citizens' views, any alternative recommendation could go to appeal which might be lost.

Members raised further queries regarding the views of Historic England and the issues with HGVs and odours. The Planning Manager reiterated the fact that the Council's Conservation Officer had no concerns and therefore held a different view to Historic England. The Environmental Health Team were confident that there was no significant harm to the amenity; any smells would be controlled by appropriate conditions and enforced if necessary. By comparison, a Member advised that they had been told the bio digester at Ellough would not smell but it did and Environmental Health were not able to do much to solve the problem. The Principal Planner advised condition 19 in the report dealt with an Odour Management Plan to ensure compliance through the planning process and the control of emissions with the relevant permit from the Environment Agency. Any action that might become necessary could be taken via the enforcement process.

The Planning Manager informed the Members that they could make a decision on the report before them but the decision would not be issued until the Secretary of State had made his decision on whether or not to allow the call-in.

Following a proposal, which was duly seconded to approve the application, a vote was taken which was **LOST**.

A proposal was then made to refuse the application on the following grounds:

1. Impact on heritage assets (referring to Historic England, Suffolk Preservation Society, and the NPPF).
2. Significant impact and effect on neighbourhood amenity.
3. Serious concerns over highway safety and impact on rights of way.

The Planning Manager advised that the evidence and grounds for refusal needed to be sound and she believed the strongest case would be impact on the heritage assets.

The proposal to refuse the application was duly seconded and a vote was taken which was **LOST**.

In response to a Member's question regarding jobs, in that one was being created at the proposed facility whereas more jobs would be lost if the public house had to close, the Planning Manager explained that, in the wider area, employment would be increased throughout the district and county as a whole.

On a proposal for a site visit to be undertaken, which was duly seconded, it was unanimously

### **RESOLVED**

That a decision be deferred and a site visit be undertaken, to be organised in a safe manner.

*Note: The meeting was adjourned at 4.45pm for a comfort break and reconvened at 4.53pm.*

### **8 DC/19/3746/FUL - Project Gold Crest, Rushmere Road and Chapel Road, Rushmere, NR34 8ED**

The Committee considered report ES/0426 which gave details of the application for the change of use of land to give young people and adults with learning disabilities and/or needs/facing barriers to access services and opportunities to learn new skills and be involved in countryside activities on land at Rushmere Road and Chapel Road, Rushmere. The proposal included additional hedging, grass reinforced parking, mobility issues caravan, outdoor camping of four to six pitches, log cabins for toilets, showers, community activities, educational events including woodland and wildlife walks, wildlife, picnic benches, allotments, the replacement of existing sheds and match a new 3.6m by 6m shed.

The Planner advised that the permission sought was for the site itself. Any retail and a café was not included in the current application and would require separate consent on its own.

Members were shown the site location plan and an aerial photo of the site together with views along Blower's Lane and Chapel Road, and views into the site from Chapel Road and Rushmere Road, and from the churchyard which showed the site was well screened. The existing block plan was compared to the proposed block plan and a further slide displayed the elevations of the proposed buildings.

The Planner outlined the material planning considerations and key issues explaining that the principle of the development was considered acceptable and compliant with the Local Plan. The site was well screened and the Council's Conservation Officer and Historic England had no objection with regard to impact on the Grade I listed church. It was considered there would be no adverse effects on the local amenity and the social and economic benefits would be beneficial for job creation and employment potential for those with difficulty in getting jobs. There were no ecology issues and the site was in flood zone 1 which would not cause any great risk. The Planner made reference to

the update sheet which had been published with additional comments and two additional conditions.

The Planner confirmed that the application was being recommended for approval subject to no new material planning considerations being raised within the further consultation period and subject to the conditions as set out in the report and update sheet.

The Chairman invited questions.

Members questioned the number of parking spaces for those attending the care farm and allotment holders, the conditions restricting to holiday use, and the impact on the Grade I listed building.

The Planner advised that the parking spaces would be sufficient for those working on the site; the users were likely to be transported by minibus. The holiday restriction in the proposed conditions was to stop people living on site. The Conservation Officer had initial concerns with regard to the listed church but they were now happy with the proposal.

The Chairman sought clarification as to possible future use for 20 tents if the land was sold. The Planning Manager advised that the permission, if granted, related to the land and the use was acceptable subject to the proposed conditions. Any changes would need to be considered separately in their own right and at a time any changes were proposed.

The Chairman invited public speakers to address the Committee.

Ms J Collen spoke on behalf of objectors in Rushmere and expressed concern that the proposal was a precursor to a much larger undertaking which would affect the Grade I Saxon church, contrary to the Conservation Officer's views. Any acceptance of the proposal would be a violation to the church and the peace and tranquillity of the area. The access was bad, leading onto country lanes and using land for this purpose in the countryside would set a precedent. Consideration had been given to the use and for whom and the applicant would make money out of the site. There was no evidence of support from the community and an increase in noise levels would only get worse. Trust in the applicant and planners had been broken; sadly this proposal was in the wrong place and wholly unacceptable for this site. Ms Collen urged the Committee to refuse the application.

In response to a question raised by a Member who knew the area well and had never seen another vehicle when in the vicinity, Ms Collen stated that the country roads were used by horse riders and as a short cut from Carlton Colville to Kessingland and the A12, very often causing much congestion. The roads were a single lane carriageway with a 60mph limit and being of a very hazardous nature. The high increase in traffic and users compared to what was previously on the site would be unacceptable.

On behalf of the Parish Council, Ms D Sherman was of the opinion that the long standing scheme had been rushed to Committee before the heritage impacts had been considered. The proposal was legally unsound assessed on community

credentials. Involve Active could wind up any time and Rushmere would be left with a campsite causing high level impact on the church. The site had no commercial status; various activities from 30 people plus staff 24 hours a day nine months of the year would cause unacceptable noise and disturbance in a tranquil unspoilt area. A noise impact assessment was too late once permission had been granted. Parking was inadequate and it appeared there would be no adequate controls in place. There was no support from the community and she urged Members to refuse the application.

Ms B Patnell explained that she was CEO from Involve Active, a not for profit small organisation supporting people with learning difficulties. Their intention was not to build on site but replace buildings, plant trees not cut them down, provide bird and bat boxes. By listing to their young people, this would give them the opportunity to achieve aspirations for future opportunities and provide respite by working in the garden nursery. It would also provide respite for families with a child with learning disabilities. Meeting others would stop isolation and the site would provide opportunities to increase life skills and horticultural experiences for those who needed them. There was support from lottery funding, County Council respite opportunities, social care and families wanting to stay. Any café on site would be for those working on the site and for the families with special needs, not for public use.

Members raised questions regarding:

- Funding.
- Scale of camping.
- Consultation with the Parish Council and local residents.
- Visitors from elsewhere in the county.
- Noise and overall control of the site.

Ms Patnell explained that a lottery grant had been received and they had been on site for two years cleaning the site. An application for further funding from “Mind the Gap” project had been submitted. There was a high need for respite. She explained that it was not going to be a big commercial campsite; a tepee tent had been donated for a activities and the pitches would be from one to a maximum of four people. There had been limited contact with local residents whilst she was off work and further consultation with parents and carers. Leaflets had been produced for circulation but that had not occurred due to the Covid shut down. The campsite would be open to all, say from Norfolk, and possibly families from elsewhere in the country. The purpose of the site was to offer a holiday for people with special needs in a place where they would feel comfortable. A noise management policy would be out in place and manned by her team supporting the respite holidays. Cut off time would be 9.30pm.

The Chairman invited questions to the officers.

Members’ specific questions related to:

- If the site could be taken over as a campsite and increase the number of units.
- An increase in the number of tents for holiday purposes.
- Permitted development rights on the site.
- Bus and cycle routes to get to local services, for example shops.

- Tourism or educational use.

The Planning Manager confirmed that the application was for the use of the land. Consultation had all been undertaken within the planning requirements including the press advert and site notice. Any subsequent application for additional units would be considered on its own merits and in accordance with planning policies and the setting of the listed building. Members were considering the application before them which was for four to six pitches.

The Committee was assured that if it was minded to approve the application, any further applications would come back to Committee for consideration and take into account the nearby listed church. It was confirmed there were no permitted development rights for the proposal; some tourism was encapsulated in the educational proposal. The roads in the vicinity were light on traffic so there should not be an issue with cycling.

**Note:** *At this point in the meeting, there was an adjournment from 5.45pm to 5.50pm.*

Members discussed the proposal giving differing views on rejecting the application on heritage grounds although it was noted that English Heritage had no objection and the church was completely screened by trees. The view was that it should not turn into a big campsite in the countryside and concern was expressed that there appeared to have been little consultation within the local community. Consideration could be given to deferral to allow that consultation to take place. The Planning Manger explained that the NPPF encouraged pre-application consultation but it was not a requirement; however, it should be noted that consultation responses were contained in the officer's report. Members were assured that any additional applications for the site would come direct to Committee for consideration.

Subject to the addition of an informative to ensure that consultation with local residents was undertaken, on a proposal to approve the application, which was duly seconded, it was

## **RESOLVED**

That permission be granted, subject to no new material planning considerations being raised within the further consultation period and the following conditions:

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

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

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

- Site Location Plan, Existing Site Plan, and Proposed Site Plan, 2513.19.2A, received 03/12/2019
- Site Details, INVOLVE - Project Gold Crest - Rev. A, received 03/12/2019;

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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, November 2019).

*Reason: In the interests of nature conservation.*

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

*Reason: In the interests of nature conservation.*

5. Prior to the installation of any lighting on site, a "lighting design strategy for biodiversity" and lighting details to protect the setting of nearby heritage assets, shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

*Reason: To protect protected species and the setting of nearby heritage assets.*

6. The use shall not commence until the area within the site shown on 2513.19.1A for the purposes of manoeuvring and parking of vehicles have been provided and thereafter it 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.*

7. The caravans and tents within the application site area shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. No unit shall be occupied in the months of December, January and February. The owners/occupiers shall maintain an up-to-date register of all owners/occupiers of individual lodges on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

*Reason: To reduce the impact on the character of the wider area, and the proposed unit(s) are suitable for holiday accommodation but not suitable for residential use.*

8. The holiday accommodation on the site shall be restricted to; one caravan, and up to six tent pitches, at any one time. The caravan hereby approved, shall only be positioned on the area as set out within drawing 2513.19.1A, and shall fit within the definition of a caravan as set out in Caravan Sites Act 1968 (as amended).

*Reason: To protect the amenity of area, the setting of the Grade I Listed Church, and the important biodiversity of the area.*

9. Prior to the first use of the site development, a scheme of hard and soft landscaping works for the site, which shall include a proposed planting plan, shall be submitted and approved, in writing, by the Local Planning Authority. The details thereby approved, shall be implemented in full within 6 months of first use.

*Reason: In the interests of visual amenity and the character and appearance of the area.*

10. Prior to first use of the site as hereby approved, details on the bridleway access, including engineering work, surface detailing, and boundary treatments, shall be submitted and approved in writing by the Local Planning Authority. The bridleway access, as detailed on drawing 2513.19.1A, shall then be installed in accordance within the approved detail, within 6 months of first use of the site as approved.

*Reason: To ensure that the proposed bridleway does not have an adverse impact on the character and appearance of the surrounding area, and is installed to improve connectivity to the site.*

11. Prior to the development hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.*

12. No activities except for those in relation to the camping and/or overnight stays on the site shall take place outside of the hours of 8:30am and 6:30pm Mondays to Sundays (including bank holidays). All activities except for camping and/or overnight stays shall cease between the hours 9:30pm and 7:00am.



*Reason: To protect the amenity of the area.*

13. Prior to commencement of the permitted use a Noise Management Plan shall be submitted to the local planning Authority for their written approval.

The noise management plan, to prevent disturbance to local residents resulting from the hereby permitted use of the land, shall include undertakings and procedures for:

1. The name(s) of the onsite supervisor responsible for the behaviour of guests and liaison with local residents;
2. The control of outside areas;
3. The control of noise out break from within buildings, caravans and tents;
4. Access and egress from the site;
5. Recording of complaints and response to those complaints;
6. Deliveries and collections to and from the site;
7. The annual review of the approved Noise management Plan and, if necessary, the submission and approval of a revised noise management plan;
8. Any other matters that are reasonably required by the local planning authority.

The approved Noise Management Plan shall be followed and/or implemented at all times.

*Reason: To protect the amenity of the surrounding area from excessive noise.*

14. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

## **9 DC/20/1449/FUL - Spexhall Hall, Hall Road, Spexhall, IP19 ORR**

The Committee considered report ES/0427 which set out details of the application seeking planning permission for the demolition of existing agricultural buildings, the construction of three dwellings and the creation of a new vehicular access on land within the curtilage of Spexhall Hall, a Grade II listed building. The application had been referred to Committee on the grounds that it had been advertised as a Departure from Policy.

The Planning Manager referred to paragraphs 6.1 to 6.5 in the report which outlined the planning history under Part Q. The submission before Members followed significant engagement with officers of the planning service to look at positive and proactive solutions for the site which would seek to deliver an acceptable scheme. The proposal sought to deliver enhanced benefits in terms of ecological enhancements to the moat and access and improve the visual appearance in the setting of the heritage asset.

Members were shown the site location plan and aerial view together with photographs of the view from Hall Road, a view of Spexhall Hall from the existing driveway, the barn to be demolished and the proposed access. The block plan and elevations of the proposed properties showed spacious one five-bedroomed and two four-bedroomed dwellings with more garden space and an agricultural feel. One plan showed the proposed fencing and planting and also the ecological enhancements including the clearing of the moat.

The Planning Manager explained the heritage considerations, design and layout, and that an enabling development could be acceptable if funds were secured for improvements to other facilities. Whilst contrary to the Local Plan with regard to new residential development in the countryside, there had been no objections and it was considered to be an acceptable proposal subject to appropriate conditions.

The Chairman invited questions.

Members questioned:

- The sustainability.
- Bins and storage.
- Other consented development on the site.

The Planning Manager explained that the site was well divorced from nearby settlements. The ecological and landscape improvements would be beneficial to Spexhall Hall including the removal of an ugly building. Bin storage was being provided on site and bins would have to be taken to the road side for emptying. With regard to the planning history, in 2016 Part Q consent had been granted, that had lapsed in

2019. An application in 2019 had been refused by this Committee and the current application was now for only three dwellings.

The Chairman invited the public speaker to address the Committee.

Mr I Miller advised that the previous proposal was for six dwellings; this application was for only three. He referred to the Leader's maiden speech that it was necessary to increase residential premises in the county and this was a well thought out scheme. The Government's Planning for the Future 2020 proposed that the developments should support the local community and commercial buildings could be demolished to allow houses to be built. In this case, the Parish Council was in support and there had been no objection from the statutory bodies. The NPPF was encouraging housing in rural areas and Policy WLP7.5 supported the proposal. The site was well screened by mature trees which would enhance the area. In addition, the agricultural buildings to be demolished would also improve the site.

The Chairman invited questions to the Agent.

Whilst noting that the Part Q permission had expired, Members sought clarification as to when works might commence. Mr Miller advised that further tests were required with regard to contamination but it was hoped to start works within 12 months of approval.

The Chairman reported that Councillor Goldson had intended to speak as Ward Member but he had had to leave the meeting before this item was discussed. Councillor Goldson wished to advise the Committee that he fully supported the application. Ward Member Councillor Cackett advised Members that she concurred and supported the application.

On a proposal to approve the application, which was duly seconded, it was

## **RESOLVED**

That planning permission be granted, subject to receipt of RAMS payments and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with plan numbers AB1, AB2, AB2a, AB3, AB4, AB5, AB6, AB7 and AB8 received on the 9 May 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials 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 (Abrehart Ecology, February 2018); Bat Survey report (Abrehart Ecology, July 2018); Great Crested Newt Survey report (Abrehart Ecology, June 2018) and Reptile Survey report (Abrehart Ecology, June 2018).

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

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

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

6. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

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

7. Prior to occupation an Ecological Enhancement Strategy, based on the information submitted as part of the application addressing how and when ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered in accordance with the approved Strategy.

*Reason: To ensure that the development delivers ecological enhancements.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and reenacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the

Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

*Reason: To secure a properly planned development.*

9. Prior to commencement of development, a plan showing the visibility splays for the access needs to be submitted. Due to the derestricted speed limit on Hall Road visibility splays of 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access for a distance of 215 metres in each direction is required. The plan should show that these visibility splays are achievable, within land that is controlled by the applicants or the highway authority. Reductions to these standard requirements may be possible subject to evidence of vehicle speeds. The visibility splays shall be retained in the approved form in perpetuity.

*Reason: To ensure suitable and safe access to the site.*

10. Prior to the occupation of the buildings hereby approved, a plan showing the bin presentation shall be submitted to and approved in writing and retained in situ in the approved location.

*Reason: To provide appropriate bin presentation area.*

11. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

*Reason: To ensure the provision of amenity afforded by appropriate landscape design.*

12. The landscaping scheme shall be completed within six months from the completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

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

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

*Reason: to ensure that the appearance of the development is satisfactory.*

14. The ecological enhancements as identified in on the Ecological Enhancement Drawing shall be implemented in full before any of the three dwellings hereby approved are occupied and retained in such form in perpetuity.

*Reason: To ensure that the ecological and landscape benefits as proposed are completed as envisaged.*

**10 DC/20/1570/FUL - Dairy Farm, Southwold Road, Holton, IP19 9JR**

The Committee considered report ES/0428 which set out details of the application seeking planning permission for the construction of a single storey building to be used as a small farm diversification scheme offering holistic well-being day retreats, workshops, tai cafi, meditation, relaxation sessions, reiki sessions and provide a contemplation walk with designated seating.

Members were shown a site location plan, aerial view, block plan, photographs of the proposed footpath and healing room linked to the location of the farmhouse, and the floor plans and elevations. Although not an allocated employment site, the site was in a sustainable location with footpaths and a nearby bus stop.

The Planner explained that Dairy Farm currently produced farm assured quality beef and the diversification scheme was to supplement income from the primary business on the site. Such diversification was supported by the National Planning Policy Framework. The site was accessible and the design was considered acceptable. The Planner further advised that the Applicant currently delivered similar treatments in the area but was wishing for some stability due to the likely loss of their current premises in Halesworth. The site was considered to be reasonably well located in terms of accessibility and, in this instance, it was considered that the departure from the Local Plan was justified as it would bring some minor economic benefit and also provide a service in support of health and wellbeing which were both strategic objectives of the Local Plan. It was therefore recommended for approval subject to no new material planning objections being received within the prescribed consultation period.

The Chairman invited the Applicant to address the Committee in accordance with public speaking rules.

Ms S Garland thanked Members for their time and the opportunity to bring the plans to Committee. She explained her qualifications and that the proposal was to support health and well-being, providing benefits to those with busy lives and, as had been seen through Covid 19, people had found the stillness and extra personal time beneficial. The premises she had been using in Halesworth was being returned to residential use and it had not been possible to find alternative premises to support a secure future for the business. The proposed site on their farm was truly relaxing supported by nature and local wildlife. The proposed small building would provide a secure space for the business in an ideal setting for such diversification.

The Chairman asked how many clients would be seen in a day, to which Ms Garland confirmed up to six, in hourly sessions.

Members recognised the benefits of the service being provided and supported the proposed diversification. There being no further discussion, it was unanimously

## RESOLVED

That planning permission be granted, subject to no new material planning objections being received within the prescribed consultation period and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan doc 08, Block Plan doc 09 and drawing no AS1, AS2, AS3, AS4 received on 24 April 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials 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 premises shall be used only as a holistic well-being day retreat and for no other purpose whatsoever, (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987) or in any provision equivalent to that Class in a statutory instrument revoking and re-enacting that Order with or without modification.

*Reason: To retain control and enable consideration as to whether other uses in the Use Class would be satisfactory in this area.*

5. The use shall not commence until the area(s) within the site shown on Document 9 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 onsite 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.*

6. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the

site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**11 DC/20/1541/FUL - Agricultural Barn at Ringsfield Hall Farm (Barn 1), School Road, Ringsfield, NR34 8JR**

The Committee considered report ES/0429, the purpose of which was to give details of the full planning application for the conversion of an agricultural building to a residential dwelling and provide a garden and associated access. The application followed Class Qa and Qb approval under DC/19/4531/PN3.

Members were shown the site location plan, block plan, and photographs of the building both externally and internally. The access to the site was a bridle way and served several residential properties. The existing and proposed plans showed both floor plans and elevations.

The Planner advised that the Parish Council had objected as the building was of no significance. The building was not a heritage asset, nor was it locally distinctive or of architectural merit as required by policy WLP8.11. However, whilst the proposal would be contrary to the Local Plan, the extant prior approval was considered to be a realistic fallback position which had to be given substantial weight. The application was, therefore, recommended for approval subject to no new material planning objections being received within the consultation period which had not yet expired.

Whilst comment was made that the design was not sympathetic with the environment, it was proposed and seconded that the recommendation be approved. There being no further debate, it was

**RESOLVED**

That planning permission be granted, subject to no new material planning objections being received within the prescribed consultation period and the following conditions:

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



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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 30-001, 003 and 004 received 22 April 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Details of the materials for the roof and rainwater goods shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Survey report (JP Ecology, June 2019).

*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(s) within the site on Drawing No. 30-003 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.*

6. Details of the areas to be provided for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking of cycles. Comments: Suffolk County Council's parking guidance 'Suffolk Guidance for Parking' (SGP) which require minimum cycle provision of 2 secure covered spaces per dwelling.*

7. Prior to the new dwellings hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.*

8. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants

considered to potentially exist on site;

- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors,

including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and

- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:

human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

9. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

10. Prior to any occupation or use of the approved development the RMS approved under condition 9 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

11. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report

that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no alteration, building or structure permitted by Schedule 2 Part 1 of the Order shall be carried out without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

*Reason: To secure a properly planned development.*

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

*Reason: To ensure the provision of amenity afforded by appropriate landscape design.*

15. The landscaping scheme shall be completed prior to occupation of the dwelling, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

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

**12 DC/20/1648/FUL - Jubilee Parade Chalets, South Lowestoft Seafront, The Esplanade, Lowestoft**

The Committee considered report ES/0430 which gave details of the planning application to demolish the concrete beach chalets 1-13 and 22-58 on South Lowestoft Seafront, necessary works to reinforce the existing retaining wall and cliff face to prevent land slip and risk to the public, and the closure of the ramped access. Permission had previously been granted under DC/17/0355/RG3; however, further evidence had shown that more substantial works were required.

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

Members were shown a site location plan and photographs of the site and condition of the chalets, As seen, demolition works had commenced and, as a result, it had been established that the previously approved scheme would not fully stabilise the cliffs, hence the need for the additional works. The proposed site plans, elevations and cross-sections fully illustrated the appearance and reinforcement works.

The Planner advised that the proposed works would result in a degree of harm to the overall character and appearance of the Conservation Area but the works were necessary to stabilise and support the cliffs. Given the current condition of the chalets and the wider public benefit, it was considered that the proposal would outweigh the harm. Approval was therefore recommended.

Comment was made that if the works were not undertaken the cliff would fall into the now derelict chalets which were no longer fit for purpose. The proposal would result in a massive improvement to Lowestoft seafront. As Ward Member, Councillor Byatt advised that he supported the works which would result in another improvement in his Ward and he thanked the Chairman for allowing him to speak in favour of the application.

There being no further discussion, it was unanimously

## **RESOLVED**

That planning permission be granted, subject to the following conditions:

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

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

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

- Site Location Plan, 01B, received 01/05/2020
- Planning statement, received 01/05/2020
- Proposed plan and elevations, 11, received 01/05/2020
- PROPOSED STABILITY WORKS PROPOSED SEQUENCING, 0504 P02, received 01/05/2020
- PROPOSED STABILITY WORKS ENLARGED PLAN AREAS, 0503 P02, received 01/05/2020
- PROPOSED STABILITY WORKS SECTIONS SHEET 2, 0502 P03, received 01/05/2020
- PROPOSED STABILITY WORKS SECTIONS SHEET 1, 0501 P04, received 01/05/2020
- PROPOSED STABILITY WORKS EXTENT OF WORKS, 0500 P04, received 01/05/2020
- Coastal Erosion Vulnerability Assessment, received 11/06/2020,

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

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

**13 DC/20/1704/FUL - 55 Gainsborough Drive, Lowestoft, NR32 4NJ**

The Committee considered report ES/0431 which sought planning permission for the conversion of the original garage to a kitchen extension with alterations to the roof over the existing garage and front porch. The proposed works were considered to be respectful of the existing character and appearance of the dwelling and street scene and would have no material amenity impact on neighbouring properties.

The application was before the Committee as the Applicant was an employee of the Council.

Members were shown a site location plan and photographs of the property and the street scene, and the existing and proposed elevations.

The Planner advised that there was no impact on the character and appearance or amenity. It was considered that the site would retain sufficient on-site parking space for the size of the dwelling and the loss of the garage would not result in any highway safety implications. Approval was being recommended subject to appropriate conditions.

Having sought clarification on the style of the catslide roof, Members unanimously

**RESOLVED**

That planning permission be granted, subject to the following conditions:

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

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

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

- Existing and proposed elevations, received 03/06/2020
- Site location plan, received 18/05/2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The external materials to be used shall match as closely as possible in type, colour and texture those on the existing.

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

The meeting concluded at 6.55pm.

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Chairman