

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held Remotely on **Tuesday, 8 September 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, Councillor Craig Rivett

**Other Members present:**

Councillor Judy Cloke, Councillor Tony Cooper, Councillor David Ritchie

**Officers present:**

Katherine Abbott (Democratic Services Officer), Liz Beighton (Planning Manager - Development Management), Joe Blackmore (Principal Planner - Development Management), Sarah Carter (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Philip Perkin (Principal Planner - Major Projects), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner - Development Management), Mark Seaman (Environmental Protection Officer)

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**1 Apologies for Absence and Substitutions**

There were no apologies for absence.

**2 Declarations of Interest**

There were no Declarations of Interest.

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

All Members declare that they had been extensively lobbied on Agenda Item 6 – DC/19/2195/FUL – Land adjacent to West End Farm, Mill Lane, Shadingfield.

Councillor Elliott declared that he had also been lobbied on Agenda Item 7 – DC/20/0951/FUL – JD Power Tools, Alexandra Road, Lowestoft. He had responded in a factual manner to the questions asked.

**4a Minutes - 14 July 2020**

**RESOLVED**

That, subject to amending that Councillor Coulam's Declaration of Interest related to Item 13 – DC/20/1704/FUL – 55 Gainsborough Drive, Lowestoft, and not Agenda Item 12 – DC20/1648/FUL – Jubilee Parade Chalets, the Minutes of the Meeting held on 14 July 2020 be agreed as a correct record and signed by the Chairman.

**4b Minutes - 11 August 2020**

**RESOLVED**

That the Minutes of the Meeting held on 11 August 2020 be agreed as a correct record and signed by the Chairman.

**5 Enforcement Action - Case Update**

The Committee received report ES/0476 which summarised the outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 21 August 2020. There were currently 17 such cases.

In response to a question relating to Boasts Industrial Estate not being mentioned on the report, the Assistant Enforcement Officer advised that the notice had been withdrawn, therefore the case had been removed from the report. The report detailed current and active cases only.

**RESOLVED**

That the report concerning Outstanding Enforcement matters up to 21 August 2020 be received and noted.

**6 DC/19/2195/FUL - Land adjacent to West End Farm, Mill Lane, Shadingfield**

The Committee considered report ES/0477 which gave details of the planning application for a poultry rearing unit with capacity to house some 141,000 broiler chickens, comprising three poultry houses with associated admin block, feed bins, and accompanying vehicle access at West End Farm. The farm had traditionally been a livestock farm, currently farming cattle, and the proposal would allow diversification to enable the agricultural operation to move forward with a sustainable business model.

The Senior Planner reminded the Committee that a decision had been deferred at its meeting on 14 July 2020 to allow a site visit to be undertaken so that Members could view the site in context. Due to Covid-19 restrictions, attendance was limited to the Members of the Planning Committee with 'bubbles' of no more than six people including officers at a time. The site visit had taken place throughout the day on 19 August 2020. Details of attendees and minutes of the site visit were appended to the report.

Members received a presentation which showed the site location plan together with an aerial view. The Senior Planner described the walking route of the site visit, as shown, both along Mill Lane towards the A145 and the footpath passing Moat Farm, the start point and view points and photographs taken along the way. Further slides gave an indication of the scheduled monument areas in relation to the application site, both the moated site and associated earthworks at West End Farm and the moated site

at Moat Farm which was a Grade II\* listed building on the Suffolk Register of Buildings at Risk. Highways had no issues with the suitability of the access onto the A145 and HGVs crossing the carriageway. One passing bay was being proposed in Mill Lane itself. The proposed floor plans and north and south elevations were displayed and the Senior Planner confirmed the sheds were 5m in height and the feed silos 8.3m. In addition, wire frames of the proposed site from the south and east were shown to Members. The landscaping in proposed condition 20 included managed grassland.

The Senior Planner highlighted the material planning considerations and key issues and explained that the principle of the development was agricultural development on agricultural land. An Environmental Impact Assessment had been submitted and the economic benefits and employment was outlined in paragraphs 8.9 to 8.11 in the report. With regard to neighbour amenity, paragraph 183 in the National Planning Policy Framework required that the focus of planning policies and decisions should be on whether proposed development was an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Odour exposure was below the relevant benchmark as set out in Table 3 in paragraph 8.24 of the report. Environment Agency requirements would be met with regard to ammonia. A visual assessment had been carried out and it was considered there would be a moderate but negligible impact after 10 years. The Council's Conservation Officer's views differed from those of Historic England; his opinion was that there was no harm arising from agricultural buildings on farmland and any harm was outweighed by the benefits. The traffic likely to be generated from the proposal was outlined in paragraphs 8.112 to 8.115 which was not inaccurate but based on similar other sites. The Applicant had clarified that one crop of manure would be used on their land, others would be removed from site in accordance with the environmental statement. The Senior Planner referred to the additional information in the update sheet and, if Members were minded to approve the application, suggested an additional condition could be included that all structures be removed once the use ceased. As all aspects had been given thorough consideration and any harm could be mitigated by condition or outweighed by the benefits, the application was recommended for approval.

The Chairman invited questions.

Members sought clarification:

- County Highways had asked for additional information on page 93 of the report and whether that information was satisfactory.
- Comment from officers on the five additional conditions proposed by the Parish Council, if the application was approved.
- The suitability of Mill Lane having only one passing bay and whether it was suitable for tractors/trailers that already used the lane.
- Whether Historic England had withdrawn its strong objection.

The Senior Planner explained that the drawings to display crossing the carriage way had not been submitted; County Highways had accepted that. County Highways were also satisfied that one passing place was being provided. Historic England had not

withdrawn its submission, they were still objecting. The Senior Planner advised that conditions 1 and 2 proposed by the Parish Council were not suitable because it was a 24 hour operation. Condition 3 regarding ammonia had been satisfied via the Environmental Statement. There was some scope in condition 4 to provide noise monitoring but that odour had been satisfied by the odour report. Condition 5 was covered by condition 20 in the report so that request had been satisfied.

The Chairman invited the public speakers to address the Committee.

Objection to the application, Mr L Osmon thanked the Committee for opportunity to speak. There was continued support for refusal on three grounds – Heritage, Amenity and Transport. There were strict rules for construction, detailed design and any works proposed should make use of sympathetic materials. This proposal did not satisfy what was stipulated. Moat Farm was in a fragile state and both English Heritage and Suffolk Preservation Society. Suffolk County Highways had demanded a wider opening and now that had been overlooked. There were currently HGV tread marks on the pavement of Mill Lane and a 605% increase in traffic would increase road safety issues to pedestrians and road users alike. There was an under-estimate on the number of feed deliveries and the simple calculations could not be verified. Residential amenity of the village would be harmed. Mr Osmon challenged the analysis of wind directions predicted by a virtual world of computer modelling and the resulting misleading report. He made comparisons with speaking and bonfires and how noise and smoke and ash affected an area. Long term, there could be a threat of avian flu, constant background noise in the village.

Ms C Ellis advised the Committee that although the meeting was held remotely, local residents were watching while you, the Committee, decided the fate of our village. Members should give great consideration to the powerful evidential reports from the objectors. Comment had been made that there were alternative permitted development uses for this site; that was felt to be a thinly veiled threat. The validity of the wind flow diagram was wilfully trying to mislead the Committee with misrepresentations of fact or it was woefully incompetent. The Agent referenced visits to Darsham and the proximity of sheds to the leisure centre. It should have been compared to Ilketshall where residents' lives had been blighted. There were the broader issues of employment and the shared single track road for access. Would the report itself stand up to a Judicial Review if the Committee was minded to approve the application? There were still objections from Historic England and Suffolk Preservation Society. The concerns of the Council's own Environmental Officer had been ignored. The Members needed to show the residents that they were listening and enabling communities.

A question was asked regarding the reference to the fragile heritage assets. Ms Ellis explained that Moat Farm was fragile and in a deteriorated state. If the sheds were erected, the care for the building would be much reduced because of the effect on the environment and no-one would be interested in ensuring preservation.

As Agent for the Applicant, Mr Rankin thanked the Committee for allowing him to speak. Since the previous meeting on 14 July, Members had had the benefits of a site visit and now seen photo montages showing the proposed buildings fitting in with the landscape. In visiting the site, he expected Members now appreciated the existing

farms and access via Mill Lane. The proposal was for agricultural buildings on agricultural land in a rural district. Poultry houses were common in the county and, as Agent, he had worked with the Council's officers and consultees and provided an environmental assessment in January. There were no significant effects arising from the proposal and additional information had been provided with regard to a landscaping plan. There were no issues with highway safety and the sheds would be assimilated into the landscape. The recommendation was for approval and Mr Rankin urged the Committee to follow the recommendation allowing the farming family to diversify and continue farming.

The Chairman invited questions.

A Member asked a question relating to the traffic using the lane now with cattle compared to the number of vehicles going to the proposed development.

On behalf of the Applicant, Mr Rankin referred to the officer's report in that there would be 1098 additional vehicles over the year x2 giving 1276 vehicles across the calendar year and with seven crop cycles a year traffic flows would give 20 vehicles within each cycle. Peak vehicle movements would be on 14 out of 36 days. The access via Mill Lane already served two existing and operational farms with HGV traffic. Mr Rankin advised that the Environmental Statement had been submitted by a competent individual, a requirement of any environmental impact assessment, so it was sound.

Ward Member Councillor J Cloke had heard previous submissions and wished to clarify that the chicken sheds at Darsham did not reflect the Shadingfield site as the busy road splitting the sites at Darsham distorted all factors. Only the previous day, she had visited top road at Ilketshall St Andrew where sheds had been allowed in 2016 and there was definitely a smell. Why would it be any different here? If noise tailed off at night, then there was obviously intrusive noise during the day. Where there were broiler houses, there were always flies. The local construction specialist was not local but located in another county some 40 miles distant in Wootton, Norfolk. Councillor Cloke also expressed grave concern as to the effect on Moat Farm; Historic England and the Suffolk Preservation Society had commented on the detrimental effect on that and the medieval common. Whilst accepting the need for changing farming methods and being self-sufficient in food, the proposal here was too intensive causing detriment to the area and a listed house that was around in the civil war. A line of trees had already been destroyed. Members needed to consider the noise and detriment to the area, the historic building and landscape, all of which were sufficient to decline the application.

During the ensuing debate, a Member referred to the noise/smell, highway matters and the effect and impact on the heritage assets. At the July meeting, the Planning Manager had steered any potential refusal to be solely on heritage grounds given the evidence presented on highway and amenity grounds. The site visit had reinforced the value of the heritage assets and, although protected from the weather, the two listed buildings were believed to be on the 'at risk' register. His serious concerns were the effects on amenity and highways issues, even though the principal ground for refusal was heritage taking into account the views of Historic England and the National Planning Policy Framework. Further comments were made about the number of

vehicles seen in a 15 minute period in Mill Lane on the site visit and the provision of only one passing place was questioned as that would result in vehicles having to reverse along Mill Lane. It was recognised that there were other silos in the vicinity but another Member still believed there would be impact on the residential amenity.

Having read the report, the Chairman sought clarification on how the smells and dust would be dealt with satisfactorily. The Environmental Protection Officer explained that he had seen and commented on the noise and dust assessments and was satisfied with the management conditions in place and the mitigation measures would control emissions adequately to acceptable levels. With regard to the impact on the village, the Environmental Protection Officer explained that if the facility was developed, there would be emissions of noise, dust and odour but at acceptable levels. Acoustic levels for a bedroom was 30dB, and the acoustic assessment predicted noise would be below that threshold. Whilst agreeing there would be daytime noise and some odour, in his professional opinion they would be below the prescribed environmental thresholds.

Comment was made that the normal wind direction would result in noise and smell going towards the village so the concerns of the residents should be noted. Traffic and highways issues seem not to have been addressed satisfactorily.

It was agreed that the site visit had provided a good perspective of the area and it was recognised that some people were more receptive to smell than other people. It was recognised that it was a working farm and the country needed to be self-sufficient with Brexit. The heritage asset was surrounded by hedgerow and trees and the site, some 200 yards distant, had no visual impact. Looking at the report and conditions, it was proposed that approval be granted and that proposal as duly seconded.

During the ensuing discussion, Members questioned whether anyone would commit the finance to support the heritage asset with this proposed development in the immediate vicinity and sought clarification as to whether there were alternative sites in the Applicant's ownership that could be used instead of one right next to a Grade II\* listed building. There was an impact on the setting.

The Senior Planner advised that the EIA Regulations required the inclusion of other sites by the Applicant and he explained the reasoning for discounting alternatives that had been considered including one to the west of Mill Lane. A Member commented that this would not be their first choice.

A Member wished to clarify the impact on the heritage setting and the fact that there were two scheduled monuments in the vicinity and the Grade II\* listed building was on the at risk register.

The Head of Planning and Coastal Management drew Members' attention to paragraph 9.8 in the report which summarised the issues with regard to the heritage impact particularly with regard to the scheduled moated sites. It was considered that the harm would be less than substantial and that needed to be weighed against the public benefits and wider economic benefits of the proposal. The Council's Conservation Officer had balanced the issues and considered the evolving nature of agricultural land in the countryside, as well as having given more detailed consideration to the changes in Shadingfield common and the village. He reiterated that, on the wider transport

issues, County Highways had no technical objection and there was no technical evidence supporting possible environmental issues.

The Chairman referred to a proposal from Councillor Elliott but he was not aware of a seconder. The Democratic Services Officer clarified that he had commented but had not made a proposal to which Councillor Elliott agreed. The Chairman confirmed, therefore, a proposal to approve the application which had been seconded should be voted on.

The Democratic Services Officer sought clarification as to amendment to condition 19 and an additional condition and whether the Parish Council's proposed conditions should be included and if the conditions in the report were being voted on or amended accordingly.

The Senior Planner advised that the proposed condition 19 had been amended in accordance with the Update Sheet and condition 14 would be updated to state that the gable end fans would be disabled during the period 2000 to 07:00 hours. In looking at the proposed conditions recommended by the Parish Council, they suggested five conditions. Condition 4 was a possibility in an amended form, for example, prior to commissioning the poultry unit, plant testing and noise monitoring shall be undertaken at the 'assessed dwellings' identified in the submitted Noise Report. In the event that predicted noise levels are breached, further measures to limit noise shall be submitted to and approved by the LPA prior to commissioning of the poultry unit. The development shall then be carried out in accordance with those details. The 5<sup>th</sup> condition was already covered in condition 20. Conditions 1 and 2 were not acceptable as the proposed operation was 24 hour. One further condition could be considered with regard to the site in that within six months of the use ceasing, the buildings would be removed and the site returned to its former condition.

The Head of Planning and Coastal Management advised that the recommended condition would be appropriate to ensure that, if the use ceased and resultant public benefits fell away, any limited harm to the significance of the heritage assets could then be reversed by the buildings/structures being removed.

The Chairman asked if the proposed amendments to the recommendation were acceptable and the proposer and seconder agreed to the changes and additional conditions and it was

## **RESOLVED**

That, subject to no new material planning objections being received within the prescribed consultation period, 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 drawing numbers AWM-006 Rev 4, 103 Rev 2 and 105 Rev 1 received 31 May 2019 and 107 Rev 1 received 07 June 2019 and 108 Rev 1 received 15 January 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. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

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

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

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

5. The development hereby permitted shall not be operational until details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>*

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

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled



waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction

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

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (Bench Ecology, May 2019).

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

8. No removal of hedgerows, trees or shrubs 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.*

9. External lighting will be limited to single LED floodlights above the main vehicular access doors to each of the Poultry Sheds, the Bird Store and the Admin block, and wall mounted circular LED luminaires (with integral emergency light to provide safe entry/exit from the building) above personnel doors. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

*Reason: To ensure that impacts on ecological receptors from external lighting are prevented.*

10. No part of the development shall be commenced until details of the access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation. Thereafter the access shall be retained in its approved form.

*Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.*

11. Before the development is commenced details of the areas to be provided for purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles 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 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. Prior to first use of the facility a passing place be laid out and constructed in its entirety in the position as shown in 'location 1 of the aerial view plan in accordance with SCC Drawing No. DM06. The passing place shall then be retained in the condition as approved.

*Reason: To ensure that the passing place is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.*

13. All HGV traffic movements associated with the proposal will be subject to a Delivery Management Plan (DMP) which shall be submitted to and approved in writing by the Local Planning Authority a minimum of 3 months prior to use. No HGV traffic movements shall be permitted to and from the site other than in accordance with the DMP.

*Reason: To reduce and / or remove as far as is reasonably possible the likelihood of HGVs meeting on Mill Lane and reducing the impact on the A145 junction with Mill Lane.*

14. The gable end fans situated on the Southern elevations of the buildings shall be disabled during night-time hours (2000 - 0700) and shall therefore be non-operational during these times. The override mechanism is only to be activated in the instance that the ridge fans fail in order to safeguard the welfare of the livestock.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

15. Prior to the commencement of the development full details and specifications of the proposed method for attenuation of the gable end fans on the Southern elevations of the buildings shall be submitted to and agreed in writing by the Local Planning Authority. The use shall not commence until the approved mitigation measures have been implemented and thereafter managed and maintained in accordance with the approved details.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

16. Prior to first use of the buildings a two metre high acoustic barrier shall be constructed on the Northern and Eastern boundaries of the concrete apron in the location as shown in figure 4 of Page 12 of the Noise Impact Assessment by Matrix Acoustic Design Consultants - Acoustics Report M1901/R02b; it shall be constructed in accordance with the specification as described in section 5.8 of that report. The Acoustic barrier shall thereafter be retained and maintained to that specification.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

17. Prior to first use of the buildings attenuators shall be fitted to the ridge fans in accordance with the details within section 5.5 of the Noise impact Assessment by Matrix Acoustic Design Consultants - Acoustics Report M1901/R02b in order to achieve the minimum insertion losses highlighted within table 2 of the Noise Assessment in section 5.5 of that report. Thereafter the attenuators shall be retained and maintained in a condition that will enable them to continue operating in accordance with the details highlighted in section 5.5 of the above report.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

18. Prior to commencement of the development a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority based on an updated odour assessment. The facility shall then be operated in accordance with the agreed Noise Management Plan.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

19. Prior to the commencement of the development an Odour Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Odour Management Plan.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

20. 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. Prior to first use, a detailed landscape maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall be implemented in accordance with the agreed details.

*Reason: To ensure the provision of amenity afforded by appropriate landscape design and maximise the long term biodiversity value of the landscaping.*

21. The landscaping scheme shall be completed in the autumn (October -December) planting season following 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 a satisfactory appearance within the landscape.*

22. Prior to the construction of the admin block, details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

23. 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.*

24. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The Management Plan shall provide details of:

- a. Loading and unloading of plant and materials;
- b. Storage of plant and materials used in the construction of the development;
- c. Materials/plant delivery times;
- d. Construction times;
- e. Parking for construction workers and visitors;
- f. Wheel washing facilities; measures to control the emission of dust and dirt during construction;
- g. A scheme for recycling/disposing of waste resulting from construction works.

*Reason: In the interests of amenity and highway safety due to the potential conflict between construction traffic, new residents and the users of the leisure centre.*

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

*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.*

26. Prior to commissioning of the poultry unit, plant testing and noise monitoring shall be undertaken at the 'assessed dwellings' identified in the submitted Noise Report (Figure 1, page 2). In the event that predicted noise levels are breached, further measures to limit noise shall be submitted to and approved by the LPA prior to commissioning of the poultry unit. The development shall then be carried out in accordance with those details.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

27. Within six months of the use hereby permitting ceasing the buildings and structures on the site shall be removed and the land made good to the satisfaction of the Local Planning Authority.

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

*Note: The meeting was adjourned at 3.33pm and reconvened at 3.39pm.*

## **7 DC/20/0951/FUL - JD Power Tools, Alexandra Road, Lowestoft**

The Committee considered report ES/20/0951/FUL which gave details of the application for the demolition of existing commercial buildings and the construction of a residential development of 31 one-bedroomed flats over three and four storeys with undercroft parking and associated works. The proposed development would be utilising a sustainably located brownfield site for affordable housing in a location where there was a high need for affordable homes.

Members were familiar with the site and proposals having deferred it in August due to concerns raised on several design and layout matters. Since then, the Principal Planner had liaised with the Applicant and its Agent to address these issues and, as a result, the Applicant had amended the proposals and submitted revised plans.

The Principal Planner explained that the report had remained unchanged but had been updated by the summary details outlined in Section 1 in the report.

Members were shown a site location plan and aerial view, photographs of the site and existing buildings and boundaries and proposed elevations in red brick including the undercroft parking and bin store. The Principal Planner advised that that type of brick was appropriate in the context of the site and the precise finish would be contained in a planning condition. To address concerns raised by Members at their August meeting, additional cycle parking was being provided, the wheelie bin storage was located in the internal courtyard with the external bins now being enclosed with planting adjacent to that storage enclosure. Additional storage for cycles and mobility scooters was being provided and car parking spaces 6 and 7 would be for electric vehicles. Washroom facilities for disabled residents could be incorporated into the layout in flat 31. The greater level of wall thickness, detailed via further construction drawings, had freed up more space to increase the internal floor areas in the flats which now ranged from 47.2sqm to 54.1sqm, details of which were shown on the amended layout plans.

The Principal Planner outlined the main issues and material considerations including the principle of the development, the affordable housing provision, the design of the development, residential amenity, waste storage and presentation and highway safety and parking provision. Officers agreed that the amended proposals were satisfactory and therefore approval was being recommended.

The Chairman invited questions.

The following issues were raised:

- Cycle parking and outside racks for visitors as not being suitable for residential use.
- The low number of electric vehicle charging points, four in total, was disappointing.
- No reference made to solar pv panels.

The Principal Planner advised that the externally located cycle stands were primarily for visitors. Highways had requested 31 cycle spaces one for each flat; 45 were now being provided, 13 of which were located externally. Solar pv panels had been discussed with the Applicant, however, it should be noted was it was not a requirement in a Local Plan policy to provide them.

The Chairman invited the public speaker to address the Committee.

As Applicant, Mr G Dodds, thanked the Committee for being given the opportunity to speak and explained that the amended design had allowed the internal floor areas to increase above the minimum 46sqm set by Homes England. As a landlord, they would not want to provide inadequate space for residents. There was level access in the washrooms on the ground floor. Charging points had now been incorporated, 45 cycle spaces were being provided and the wheelie bin storage had been moved. The proposed red brick met the suggestions made by Committee at its August meeting. It was considered to be the right use and design for the benefit of Lowestoft and those needing housing. Mr Dodds requested Members support the officer's recommendation for approval so that the site and funding could be secured.

The Chairman invited questions to the Applicant.

Members asked questions on the following:

- Controls over access to the building and car parking in the courtyard.
- Outside cycle parking.
- Installation of solar pv would be less than a retro-fit.
- Secure bin storage.

Mr Dodds explained that there would be a fob entry system to all flats and there would be a controlled entry system for parking which would be governed by the Housing Estate Management Team. He confirmed that thermal insulation would be in place. The bin storage was in a larger area and accessible; they had consulted with Norse on design and functionality and it could be looked at further with the Housing Officers.

During the ensuing debate, Members agreed that the amended plans provided an improved development and accepted that the town was in need of one-bedroomed flats. This was a brownfield site in a sustainable location. There being no further discussion, it was

**RESOLVED**

That permission be granted, subject to the signing of a Section 106 Legal Agreement to secure affordable housing provision, and per-dwelling contribution to fund the Suffolk (Coast) RAMS and the following conditions as summarised:

1. Three-year time limit.
2. Standard plans/drawing compliance.
3. Details of external materials to be agreed.
4. Details of landscape planting to be agreed.
5. Details of fire hydrant provision to be agreed.
6. Details of ecological enhancement measures to be agreed.
7. Ground investigation: standard conditions to secure contaminated land investigation, remediation, and validation.
8. Drainage: details of strategy (including its long-term implementation, maintenance and management) to be agreed pre-commencement of development.
9. Drainage: drainage system components and piped networks details to be submitted for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
10. Highways: standard conditions to secure parking/manoeuvring areas; cycle storage; bin storage and presentation areas etc.

## **8 DC/18/1403/COU - Playters Old Farm, Church Road, Ellough, Beccles**

The Committee considered report ES/0479 which gave details of the application for a change of use for siting 35 high quality timber lodges (static caravans) and one Manager's unit together with peripheral and supplemental landscaping at Playters Old Farm in Ellough. Members were reminded that in 2014 planning permission had been granted for five holiday lodges, one reception lodge and horse paddocks on the site which established the principle of holiday accommodation in this location.

Members received a presentation showing a site location plan, photographs of views along Church Road in both directions and across the site showing the existing access and views to the buildings on Ellough Industrial Estate. In addition, the proposed layout plan, examples of the types of lodge and typical internal layouts.

The Principal Planner advised that the proposed lodges did comply with the definition of a caravan. In outlining the material planning considerations and key issues, he explained:

- Principle of development, policy WLP8.15 and the site's sustainable location with the new Beccles southern bypass.
- Covered cycle storage could be provided by way of condition.
- Highways concerns over visibility had now been solved.

- Little landscape impact as it was a well contained site with landscaping controlled by condition.
- Low flood risk as the site levels were higher than Hundred River.
- One pond in the locality had great crested newts and both mitigation measures and relocation were controlled by condition.
- The proposal met tourism policies in the Local Plan and the objectives in the East Suffolk Plan.

The Principal Planner advised that the tourist industry was of vital importance to the local economy and this proposed would help to support it. It was considered that the proposal would not have an adverse effect on the character and appearance of the surrounding countryside and approval was being recommended subject to appropriate conditions to ensure no more than 36 lodges were being provided on site. Condition 2 was being amended as per the update sheet and, in order to reduce any impact, a condition was being proposed to ensure no verandas or decking could be provided without consent.

The Chairman invited questions.

Members raised the following:

- The slides showed lodges with verandas.
- The distance between this site and the enterprise zone in Ellough.
- The time lapse between the expiry date of the application in 2018 and it being considered by Committee.
- Why remove the ponds when they could remain.
- Intensification and scale of use now being proposed.
- Bridleways in the vicinity.
- 35 or 36 lodges and a manager's unit.
- Lodge models to be used.

The Principal Planner advised that the lodges in the presentation were for illustrative purposes only; the ones proposed for the site would not have verandas. It was understood that the Ellough Industrial Estate was 1-2km to the north east. The delay in the application coming before Committee was mainly due to the ecological survey which had to be undertaken at certain times of the year. The total number of lodges was 36, one of which would be for the manager. The specific models would not be proposed; they would be controlled by the amended condition 2.

During discussion, Members raised concerns over the location of the site compared to the turkey farm, the plastics factory, the bio-digester and the crushing plant, and whether the site was suitable for tourists. Church Road itself was very narrow and very quiet. Further comment was made that tourism was needed in the area and it would bring money into the area and shops. If the units had to comply with the Caravan Act, that would need to be appropriately enforced.

The Planning Manager confirmed that the relevant condition 2 could be amended further in that the holiday lodges would be in accordance with designs submitted to



the Local Planning Authority and approved in writing. That was supported by the Committee. She further explained that the types of lodges would not normally be referred to Committee but could be reported to the Referral Panel before being signed off by the officers.

Members further questioned the seven-fold uplift in accommodation being provided and whether a precedent was being set. If decking was not permitted, it would be difficult for the guests to eat outside with no other amenity being provided. A proposal was made to approve the application which was duly seconded and it was

## **RESOLVED**

That 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 not be brought into use until it has been completed in all respects strictly in accordance with the site location plan and drawing no. 11157/P01b received 14 May 2020. The holiday lodges hereby permitted shall meet the statutory definition of a caravan as outlined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968. Details of each lodge shall be submitted to and approved in writing prior to installation. Each lodge shall be installed in accordance with the approved details.

*Reason: To secure a properly planned development.*

3. The number of holiday lodges stationed on the site shall not exceed 36 including the Manager's unit.

*Reason: In the interests of the appearance of the site and surrounding landscape.*

4. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM04 and with an entrance width of 5m, radius of 6m and access width of 17m. Thereafter the access shall be retained in the specified form.

*Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.*

5. Before the access is first used visibility splays shall be provided as shown on Drawing No. Dwg No 2705/001 with an X dimension of 2.4m and a Y dimension of 120m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: to ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.*

6. Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including 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 enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.*

7. 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:

1) 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).

2) 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;
- \* 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 BS10175:2011+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.*

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

- \* details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- \* an explanation, including justification, for the selection of the proposed

remediation methodology(ies);

\* proposed remediation objectives and remediation criteria; and

\* proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including 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. Prior to any occupation or use of the approved development the RMS approved under condition 8 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

\* results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;

\* evidence that the RMS approved under condition 8 has been carried out competently, effectively and in its entirety; and

\* evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

12. 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.*

13. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

*Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.*

14. The approved holiday unit(s) shall be occupied solely as holiday accommodation and for no other purpose whatsoever including residential use.

*Reason: The proposed units are suitable for holiday accommodation but not suitable for residential use.*

15. There shall be no occupation of the holiday units between 1st January - 12th February in any calendar year and the owner shall maintain, and keep available for inspection at all reasonable times, an up-to-date register of lettings.

*Reason: To prevent the units being occupied for full time residential use in accordance with Waveney Local Plan Policy WLP8.15.*

16. The occupation of the reception lodge shall be limited to a person solely or mainly employed in the management of the holiday lodges and any resident dependants.

*Reason: Ellough is not a location where new residential development would normally be allowed; however permission has been granted in this case because of the desirability of onsite supervision of the holiday lodges. This condition is therefore imposed to ensure that the lodge remains available for this purpose.*

17. No decking, verandas, hot tubs or any other external additions/alterations to any of the lodges hereby approved are permitted by this permission unless such additions are otherwise approved in writing following the submission of a planning application.

*Reason: In the interests of the appearance of the site and amenity.*

18. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

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

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

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

20. The development hereby permitted shall not be occupied until details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the*

county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

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

a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-

i. Temporary drainage systems

ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

22. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, December 2018) and Great Crested Newt Survey report (Greenlight Environmental, 9 June 2020).

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

23. No removal of hedgerows, trees or shrubs 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.*

24. Prior to first use, a "lighting design strategy for biodiversity" for the site 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.

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

*Reason: To ensure that impacts on ecological receptors from external lighting are prevented.*

25. 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.*

**9 DC/20/1127/FUL - North Green Farm, North Green, Kelsale-Cum-Carlton**

The Chairman announced that this application had been withdrawn from the Agenda.

**10 DC/20/1837/FUL - York's Tenement, Station Road, Yoxford, Saxmundham**

The Committee considered report ES/0481 which set out the proposal for a change of use and sub-division of an existing dwelling to form two dwellings with the necessary associated internal alterations and boundary works to facilitate the sub-division at York's Tenement in Yoxford. The application was a departure from the existing Local Plan and therefore required to be determined by the Planning Committee.

The Planning Manager explained that the property was a five-bedroomed two storey detached Grade II listed building and the proposal would create one four-bedroomed dwelling and one two-bedroomed dwelling. The Parish Council supported the proposal; however, it was contrary to policy DM3 in the existing Local Plan but the proposal would be acceptable under the emerging Local Plan.

Members were shown a site location plan and its position relative to the physical limits of Yoxford, together with photographs of the property and garden. The block plan gave an indication of the large residential curtilage, the vertical sub-divide and the proposed and existing floor plans and elevations. Both of the new properties would have garden and car parking.

The Planning Manager outlined the material planning considerations and key issues and explained there would be no real change to the heritage asset. The Council's Conservation Officer supported the proposals. She drew particular attention to policy DM3 and the sub-division of an existing larger dwelling where it would meet local need which had been removed in the emerging Local Plan; therefore, the sub-division was now considered acceptable in the countryside. The proposal complied with that new policy and the National Planning Policy Framework and approval was being recommended.

Members commented on the fact that the Parish Council supported the proposal and it would be in accordance with the new Local Plan. There appeared to be no reason not

to approve the application and the required Listed Building Consent. On a proposal to grant planning permission which was duly seconded, it was unanimously

## **RESOLVED**

That permission be granted, subject to the necessary RAMs mitigation payment 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 00F, 11H, 12C, 13C, 14F, 15F, 16A & 17A received 20/5/2020, 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. 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.*

**11 DC/20/1838/LBC - York's Tenement, Station Road, Yoxford, Saxmundham**

The Committee considered report ES/0482 which sought Listed Building Consent for physical alterations to the listed building as part of a proposal to sub-divide the existing dwelling, York's Tenement at Yoxford, to form two smaller dwellings.

Having considered and approved the application under Item 10 on the Agenda, it was unanimously

**RESOLVED**

That Listed Building Consent be granted, 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).*

2. The development hereby permitted shall be completed in all respects strictly in accordance with 00F, 11H, 12C, 13C, 14F, 15F, 16A & 17A received 20/5/2020, 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. Prior to occupation of the new dwelling, a copy of the "Heritage Statement received 20/5/2020", 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.*

The meeting concluded at 4.51pm.

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