

Confirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday 27 July 2021 at 2pm**

Members of the Committee present:

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

Other Members present:

Councillor Linda Coulam, Councillor Ray Herring

Officers present: Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Karen Cook (Democratic Services Manager), Sarah Davis (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Megan Rodwell (Trainee Planner), Ben Woolnough (Planning Development Manager)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Fryatt. Councillor Coulam acted as Substitute.

2 Declarations of Interest

Councillor Bird declared a Local Non Pecuniary Interest with regard to item 7 - 175 Grange Road, Felixstowe - as a member of Felixstowe Town Council and Chairman of its Planning and Environment Committee.

Councillor Deacon declared a Local Non Pecuniary Interest with regard to item 7 - 175 Grange Road, Felixstowe - as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

With regard to item 7 - 175 Grange Road, Felixstowe - Councillor Bird declared that he had been lobbied by the Applicant prior to the application being considered by Felixstowe Town Council's Planning and Environment Committee. He further declared that he had responded to say he was unable to comment.

With regard to item 5 - Redwald Road, Rendlesham - Councillor Yule declared that she had been lobbied and had not responded.

4 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0848** by the Head of Planning and Coastal Management which was presented by the Planning Manager (Development Management). The report provided a summary of the status of all outstanding enforcement cases where enforcement action had either been sanctioned under delegated powers, or through the Committee; as at 24 June 2021, there were ten such cases summarised within the report.

The Chairman invited questions.

Councillor Cooper referred to the cases of Pine Lodge Caravan Park, Hinton and Park Farm, Bucklesham, both of which, he said, did not indicate when action would be taken and appeared to be up-to-date as at January 2021. The Planning Manager (Development Management) said he would seek the inclusion of an update on dates in the next report in August.

Councillor Hedgley said the enforcement case related to Homeland House, Swilland, was not included within the report and asked if there was a reason for this. The Head of Planning and Coastal Management replied that the matter was now subject to legal proceedings by the Council to seek a prosecution.

Councillor Blundell noted that the site at Top Street, Martlesham, had not complied with conditions in June 2021 and asked what the latest position was. The Planning Manager (Development Management) said he would seek this information in the next report in August.

It was proposed, seconded and by unanimous vote

RESOLVED

That the report concerning Outstanding Enforcement matters up to 24 June 2021 be received.

5 DC/20/3890/OUT - Land at Redwald Road, Rendlesham, IP12 2TZ

The Committee received report **ES/0804** by the Head of Planning and Coastal Management. The Planning Manager (Development Management) presented the application which sought outline planning permission, with some reserved matters, for a residential development for up to 75 homes, with associated open space, including community orchards and allotments, play space and integrated rights of way. The Planning Manager referred the Committee to the Update Sheet which provided key details of the updated version of the National Planning Policy Framework (NPPF) published on 20 July 2021 which were relevant to East Suffolk Council as the Local Planning Authority. The Update Sheet stated that the NPPF revisions had been considered in regard to the application and did not affect the recommendation within the published report; it further stated that the design presented and capable of being proposed under reserved matters could achieve the heightened design expectations of the 2021 NPPF. The Planning Manager said the site was allocated in the Local Plan for the development of approximately 50 dwellings under Policy SCLP12.62. Therefore, the principle of residential development on the site was established and the application sought to deliver up to 75 homes, including 25 affordable dwellings, which was notably more than the approximate 50 referred to in the Policy. The application had been

referred to Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest and its planning history. The application was also being presented with an Outline Planning application (item 6) for a further 75 homes in the village allocated under Local Plan Policy SCLP12.61 to enable collective consideration at one meeting of the Committee. The published report and the Planning Manager's presentation provided a detailed description of the site, the proposal for outline consent with all matters reserved except for access, consultation comments, specific planning considerations of highways, design, housing mix, landscape, ecology, drainage and flood risk, environment and amenity, infrastructure and, benefits and harms of the development.

The Chairman invited questions.

Councillor Deacon asked if there had been a previous application for this site. The Planning Manager confirmed that the site had previously been included in a much larger outline application for 290 homes which had been refused in 2018. An appeal had been submitted but later withdrawn. The site had been allocated since 2017.

Councillor Newton referred to Local Plan Policies 12.61 and 12.62 and asked if the Council's Local Plan Working Group had determined the optimum number of dwellings the site could accommodate. The Planning Manager said the site was originally allocated under Policy SSP12 of the Suffolk Coastal Site Allocations and Area Specific Policies and was now an allocation in the Local Plan as SCLP 12.62, alongside the other housing allocation for the village SCLP 12.61. He said it had, therefore, been part of two Local Plan processes and that included a broad assessment of the sites to ensure they were viable and able to be delivered. Councillor Newton asked if that meant the Local Plan Working Group had, or had not, determined the housing number for the site. The Head of Planning and Coastal Management said there had been a high-level strategic assessment with regard to the requirements of adopted policies and the desire for smaller and more affordable homes. It was, he said, the professional view of the Council's Officers that 75 homes was an acceptable and appropriate number.

Councillor Cooper asked if the parking provision was sufficient. The Planning Manager said the illustrative plan presented adequate parking provision. He added that, if approved, this would be subject to reserved matters detail at a later point.

Councillor Hedgley noted the Parish Council recommended the installation of heat pumps and asked if it was feasible for the Committee to add such a condition. The Planning Manager said the Neighbourhood Plan for Rendlesham included a sustainable construction commitment and so the consideration of alternative methods of energy and heating was important. He added that the overall direction of travel was a reduced reliance on gas and oil fuels. However, it was not possible to make the installation of heat pumps a specific condition; a sustainable construction statement would be sought, under reserved matters, if the application was approved.

Councillor Yule asked if the infrastructure would be able to accommodate the additional demands by road users, school pupils etc. The Planning Manager said the Highways Department had not raised any objections. He added that he had met with the Parish Council to see how this could be managed in the immediate vicinity and

beyond. He was confident that the cumulative effect of the two applications, if approved, would not have a severe impact on infrastructure. He reassured the Committee that these matters were considered collectively with partners, including the county council in terms of roads and school places.

The Chairman invited Ms Heelis, Parish Clerk for Rendlesham, to address the Committee.

Ms Heelis said the application was supported by the Parish Council as it was generally in line with the Neighbourhood Plan and on an allocated development site. She wished to state that Rendlesham was not anti-housing *per se* but it needed to be in the right place. Ms Heelis said the developer had listened to the community, noted its Neighbourhood Plan and delivered when it had been asked for good design and layout, visitor parking, and allotments etc. The Parish Council asked if the allotments could be transferred to the Parish Council, in perpetuity, to ensure maintenance and management. Ms Heelis encouraged East Suffolk Council to do more of this type of planning for development and repeated that the Parish Council supported the application, as presented.

There were no questions. The Chairman invited Mr Brown, Applicant's Agent, to address the Committee. Mr Brown said the application had been an opportunity to work with the Council, to secure the efficient delivery of homes, including affordable houses, and also the provision of community benefits, in particular, improvements to the public footpath network. Mr Brown praised the Case Officer's approach in ensuring the two applications were considered together to allow the cumulative effect to be determined. Mr Brown said that the site having been allocated confirmed the principle of residential development for which an outline planning application had been made to deliver 75 homes, of which, he said, significantly, 25 would be affordable. Mr Brown referred to paragraph 7.4 of the published report and said the site allocations only provided an approximate number, that the unit numbers were not a limit, but were a guide based on the analysis and evidence available at the time of the Local Plan examination. He added that whilst an illustrative masterplan supported the planning application, the detail would be provided in a reserved matters application to be considered by the Committee (if approved at Outline stage) at a future meeting. Mr Brown stated that the proposals included an area for allotments and the provision for a community orchard, a circular walking route and the extension of footpaths to improve connectivity; he added that the developer look for ways, if possible, to deliver the allotment provision early. He confirmed that the developers had engaged with the Parish Council and utilised a plan-led approach.

There were no questions. Councillor Herring, as Ward Member, indicated he did not wish to comment on the application. The Chairman invited the Committee to debate.

Councillor Coulam welcomed that, as part of reserved matters details, 40% of all dwellings should meet the building regulations M4(2) wheelchair accessibility standards for both open-marker and affordable homes (paragraph 7.19 of the report referred).

Councillor Newton said he had had concerns at the increase in housing numbers but he had, he said, been assured by the responses to his questions and the Parish Clerk's

comments.

There being no further matters raised for debate, the Chairman moved to the recommendation. This was proposed by Councillor Hedgley, seconded by Councillor Cooper and by unanimous vote it was

RESOLVED

That **AUTHORITY TO APPROVE** be granted with conditions including, but not limited to, those below, subject to the completion of a S106 Legal Agreement within six months to secure obligations including, but not limited to:

- Provision of 25 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund legal work
- Financial contribution to fund the creation of a new public right of way.

If the S106 is not completed within six months **AUTHORITY TO REFUSE** the application (at the time of writing the report the S106 was close to being signed).

Conditions:

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Development shall be carried out as approved.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

3. The submission of reserved matters applications pursuant to this outline application shall together provide for up to 75 dwellings and demonstrate broad compliance with illustrative masterplan.

Reason: In order to establish development parameters to guide future reserved matters application to achieve good design.

4. As part of the reserved matters application(s) for layout and landscaping, plans and particulars of the pedestrian access points as shown on the illustrative Masterplan shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the following

- (a) the precise location of the pedestrian access points;
- (b) the route of the pedestrian accesses and their integration into the development layout;
- (c) details of any engineering works required to create the accesses and routes; and
- (d) the ground surface treatment of the accesses and any associated landscaping.

Development shall be carried out in accordance with the approved details and the pedestrian access points shall be completed and made available for use in accordance with the triggers approved in the site wide phasing plan.

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

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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

6. No part of the development shall be commenced until details of the proposed access junction and associated highway improvements shown on Drawing No. A13412-T-006 have been submitted to and approved in writing by the Local Planning Authority. The approved access junction shall be laid out and constructed in its entirety prior to occupation and thereafter shall be retained in its approved form.

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

7. No part of the development shall be commenced until details of the proposed footway and crossing improvements including a direct link from the north of the development to Redwald Road indicatively shown on Drawing No. A13412-T-004 have been submitted to and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to occupation.

Reason: To ensure that the footway and crossing improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel and highway safety.

8. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins 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 for no other purpose.

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

9. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

11. 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 ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

12. Before the access is first used visibility splays shall be provided as shown on Drawing No. A13412-T-006 with an X dimension of 4.5m and a Y dimension of 215m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (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 to take avoiding action.

13. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. 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 shall include:
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters

and watercourses

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

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

14. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

15. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development

16. The site shall be developed in a phased manner in accordance with the three phases set out on the phasing plan. No work, except site investigations, shall take place outside of the relevant phased area before the Council has been notified of commencement within that phase and all relevant conditions addressed within that phase (through a CIL commencement notice)

Reason: To ensure that the development is built out in accordance with the proposed phasing plan as a phased development.

17. Prior to the commencement of development, a scheme for the provision of fire hydrants within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of fire safety.

18. No development shall commence until means of protecting the trees on and surrounding the site have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

19. Prior to the commencement of development, soft and hard landscaping details will be submitted and will include the following:

- a) Consideration of the Landscape Strategy
- b) Use of native planting where possible with other species including trees and hedges selected for their suitability, amenity and biodiversity value.
- c) Details of hard surfacing, enclosures, street furniture, play equipment and features and other structures including bins and signage.
- d) Drawings should include detailed planting plans and schedules of plants along with a specification and programme for the implementation of hard and soft landscape works.

20. With the exception of the main site access, no development shall commence until a landscaping management plan for public amenity areas has been submitted to and approved in writing by the Local Planning Authority. This should include monitoring of works by a qualified landscape architect. Landscaping shall be retained and managed in accordance with the standards and annual maintenance regime set out in the approved Landscape Management Plan.

21. As part of each reserved matters application for landscaping, a plan indicating the positions, design, height, materials and type of boundary treatment to be erected shall be submitted to and agreed by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the building to which it relates is occupied.

Reason: In the interests of amenity and the appearance of the development and locality.

22. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings within that reserved matters area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

23. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority for approval demonstrating how

40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

24. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority through the submission of a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

25. As part of each layout reserved matters application, details of external lighting to be installed on the site, including the design and specification of the lighting unit, any supporting structure and the extent of the area to be illuminated and how the impact on ecology has been considered shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed in public areas without the prior approval of the Local Planning Authority.

Reason: To protect biodiversity and the visual amenity of the surrounding area.

26. Prior to commencement of development a waste management strategy for collections of domestic waste by a public or private operator shall be submitted and agreed. This will include details of bin storage locations and bin collection points and collection arrangements.

Reason: Due to the extent of unadopted roads and private drives creating potential difficulties in bin collection from individual properties or communal collection areas as access is dependent on agreement between the waste collection service and developer.

27. Prior to the commencement of any development in phase 1 a Construction Method/Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall also be submitted prior to the commencement of phase 2 and phase 3. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Construction methods and piling techniques.
- d) Storage of plant and materials used in constructing the development;
- e) Programme of works (including measures for traffic management and operating hours);
- g) Details of HGV delivery and collection vehicle routes and times to and from the site during construction phase. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Site security and public safety measures;

- j) Wheel washing facilities to prevent mud and sand from vehicles leaving the site during construction;
- k) Measures to control the emission of dust and dirt during construction;
- l) A scheme for recycling/disposing of waste resulting from construction works;

28. Ecology and Biodiversity conditions to be confirmed in the update sheet.

6 DC/20/5278/FUL - Land to the North and West of Garden Square and Gardenia Close, Rendlesham

The Committee received report **ES/0802** by the Head of Planning and Coastal Management. The application, presented by the Planning Manager (Development Management), sought full planning permission for a phased development of 75 homes, car parking, public open space, hard and soft landscaping, and associated infrastructure and access. The site had been allocated in the Local Plan for the development of approximately 50 homes under Policy SCLP12.61; the principle of residential development on the site was, therefore, established. The proposed development would include 25 affordable dwellings. The Planning Manager said the revisions to the National Planning Policy Framework (NPPF) relevant to East Suffolk Council as Local Planning Authority - and provided within the published Update Sheet - had been considered and did not affect the recommendation within the report. He added that the design proposed achieved the heightened design expectations of the 2021 NPPF, including the expectation for tree-lined streets. The application had been referred to Committee by the Head of Planning and Coastal Management, under the terms of the Scheme of Delegation, due to the level of public interest and the planning history. The application was also presented beside the Outline Planning application for the village (at item 5 on the agenda) to allow a collective consideration of the potential allocated growth at one meeting. The Planning Manager's presentation, in conjunction with the published report, provided detail on the site's description, the proposal, the matters of objection and support raised during the consultation, planning considerations including the principle of development, highways, design, housing mix, landscape, ecology, drainage and flood risk, environment and amenity, infrastructure, and benefits and harms of the development. With regard to drainage and flood risk, the Planning Manager said the proposed development would maximise the use of an above-ground Sustainable Drainage System (SuDS) within the existing layout with reliance on below ground storage elements to attenuate surface water and flood risks. A combination of roadside swales (shallow channels designed to store and/or convey runoff) were proposed to move road water through the site in addition to two drainage basins and an underground storage system under the central square open space. The drainage solution proposed was technically sound, but was not entirely a SuDS solution; as a SuDS solution would alter the layout of the proposed development the proposed solution was considered to be acceptable and would adequately mitigate any flood risks. Similarly, the proposed cordon sanitaire in the vicinity of the water treatment works was also considered to be acceptable in terms of residential amenity. The Planning Manager said that a number of objections had claimed that the development would not entirely be open-market because of the developer's links to the Maharishi Mahesh Yogi temple at Rendlesham. He stated that this was not a matter that could be controlled by conditions, however, it was possible to control the affordable housing element of the proposed development. The Committee was reminded that planning permission had previously been refused, twice, on this site for a proposal from the same applicant for the same number of homes, first in 2018 and then in 2019 on design

grounds. The latter refusal had been subject to an appeal which had been dismissed in 2020 following a public enquiry. The revised proposal before the Committee reflected the outcome of that appeal and sought to address the design failure of the earlier scheme. The Planning Manager said there was a chronic need for more rights of way access in Rendlesham and this would be established by the proposal, if approved. The Planning Manager said that the revised proposal had been a productive process and he wished to commend the applicant for this approach.

The Chairman invited questions.

Councillor Cooper asked if the Clinical Commissioning Groups (CCGs) had commented on primary care provision. The Planning Manager said a response to the initial consultation had been received but noted that the local medical practice had recently expanded.

The Chairman invited Mr Moore, Objector, to address the Committee.

Mr Moore stated that the previous development company that had developed Garden Square and Gardinia Close had been wound-up by an order sought by East Suffolk Council for non-payment of CIL commitments; he stated that the applicant shared directors with that previous company. Mr Moore said the previous development was incomplete with unfinished roadways and raised iron works causing problems for users. Mr Moore referred to the marketing literature for the site despite, he said, the applicant's statement that there had been no marketing of the proposed properties. Mr Moore asserted that the marketing literature had been circulated to those sympathetic to the teachings of the Maharishi Mahesh Yogi and that, in his opinion, this was not therefore an open-market housing development. Mr Moore stated that deposits had been accepted for houses which were unapproved and unbuilt - he referred to his search of the company's accounts via Companies' House and suggested how he suspected this had been used. Mr Moore added that the Rendlesham Village plan accepted this to be a suitable site for housing but that some local residents had concerns about the lack of engagement with the Parish Council to facilitate the allotments and, he suggested, the public space was 'no more than a path'. Mr Moore considered the applicant to be intending to establish and run its own housing association to the benefit of those following the same teachings. Mr Moore urged the Committee to refuse the application but, if approved, that additional conditions around the provision of allotments, the open space and the management of the social housing by an established housing association.

At the Chairman's request, the Planning Manager clarified that the unpaid Section 106 commitments were not pertinent to consideration of this application as they had related to the adjacent development and had been pursued by the county council and not East Suffolk Council. With regard to Mr Moore's comments about the affordable housing, this would need to be managed in compliance with policy and would be a requirement of the Section 106 agreements, if the proposal was approved. East Suffolk Council would require housing associations to bid for the tenure of the properties and this would be governed by central Government's requirements and the Council's tenure requirements. In addition, the Head of Planning and Coastal Management said the application must be considered on planning matters and considerations and that some of Mr Moore's comments did not meet that criteria.

There were no questions. The Chairman invited Councillor Redfern of Rendlesham Parish Council to address the Committee.

Councillor Redfern said it was a disappointment that the applicant, despite various revisions, refused applications and a dismissed appeal was, he suggested, unwilling to present a policy complaint application that supported the existing community. Councillor Redfern said that the critical elements of the Parish Council's objection to the application were that the applicant had refused to adopt a policy complaint solution to the surface water flooding; flooding on the site was, he said, due to the presence of a minor aquifer. Councillor Redfern stated that the fully policy compliant Option 2 of the surface water drainage solutions should have been adopted from the outset of the design as it did not require below ground storage and essential maintenance which, he said, given the increasing incidence of extreme weather conditions, was of the utmost importance. Councillor Redfern considered the Planning Manager to have given too much emphasis to pure design issues over practical services issues. He added that, given SCCs holding objection and a compliant option requiring a full redesign of the development, the Parish Council did not consider this was something that could be approved by way of a condition. Councillor Redfern said the logic of including conditions to fundamental planning issues suggested all applications should be approved and all planning issues dealt with by conditions only. He continued to say that the Council had set out the local requirement of affordable housing which the applicant had not applied. He noted that the Council's housing department had stated in its consultation response that this was not acceptable. Councillor Redfern suggested that a desire to "Approve" despite recommendations of the "experts" set a dangerous precedent and, he suggested, provided an unacceptable level of risk. On behalf of the Parish Council, Councillor Redfern asked the Committee to consider that the Parish Council own and maintain all land for public use and that, he said, the applicant refused to provide allotments and growing spaces in accordance with RNPP3 of the Neighbourhood Plan and the Parish Council's allotment strategy. He asked the Committee to ensure the applicant was required to comply with planning policies which aimed to provide required infrastructure for residents to promote wellbeing. Councillor Redfern also asked the Committee to ensure that deficiencies in disabled access were resolved and further that the applicant be directed to comply with the Building Regulations 2020 as highlighted in the Parish Council's most recent response.

There were no questions.

The Chairman invited Dr Warburton, Chairman of Christchurch Property Co. Ltd, the Applicant, to address the Committee.

Dr Warburton said all the major points for consideration in the application had been well covered in the case officer's report, but he wished to highlight some points. He said that he and the other two leaders of the company had all lived locally for many years, one for a whole lifetime. Dr Warburton said he loved Suffolk and especially the area where he had now settled for a total of over 50 years – namely Rendlesham, which he only wanted to enhance. Dr Warburton said the company's motivation was to create a high quality, ecologically sound, and well-designed housing development, faithful to the Suffolk vernacular and including a high standard of public open space and amenities. Dr Warburton said the company was not an outside developer who

would build out the site and never be seen again. Instead, the company wanted to foster a development that helped create a vibrant Rendlesham and supported expansion of retail and community facilities. He said he planned to live in the development, if approved, for the foreseeable future. Dr Warburton said the company had done its best to address all advice, be it from the planners, experts in different fields, and of course the local Rendlesham community. He added that the company had worked diligently to address all of the concerns raised in the appeal in 2020. Specifically, Dr Warburton said he wished to emphasise the benefits of the latest scheme as 75 new homes in 43 buildings to a high standard of design, including a wide mix of size, type, and tenure, allowing plenty of open space; 25 affordable homes - consisting of 13 discounted market sales units and 12 affordable rent units, to be owned and managed by a Registered Housing Provider according to the terms and conditions of the Section 106 Agreement and the regulatory standards of the Regulator of Social Housing; 1.7 hectares (4.2 acres) of public green open space, including a village green, community orchards and parkland, and a play area, all with a high standard of planting and landscaping; a public footpath through the development, connecting to a new off-site Public Right of Way (speaking time ended).

There were no questions.

The Chairman invited Councillor Herring, Ward Member, to address the Committee.

Councillor Herring thanked the Planning Manager for presenting the two applications consecutively on the one agenda as this allowed the collective impact to be considered. He said the two items had been well presented and explained. Councillor Herring referred to the previous applications and the appeal process. He said that this application together with the earlier one of the agenda (item 5) did place an additional demand on local roads but this had, he said, been covered in the report and the presentation as well thought through and reasonable. Councillor Herring said it continued to be necessary to engage with business, retail and related employment in the area and that part of that was having homes available. He suggested that if Rendlesham wished to be a successful community then development was needed to encourage and enable that. Councillor Herring said he saw the application as an important part of helping to create and complete a comprehensive community in addition to the existing Garden Square community. He said the applicant had its own ideas in terms of design and layout but these were not unusual and suggested that an element of diversity was to be welcomed if it was of good design.

The Chairman invited the Committee to debate.

Councillor Cooper noted that, if approved, failure to sign the Section 106 agreement with six months would result in the application being refused.

Councillor Yule said Rendlesham Parish Council had an excellent record for submitting consultation comments and said that she did have some concerns at the points it had raised including its objection to the application.

The Planning Manager said the applicant's approach to surface water drainage would address this across the whole site and added that drainage would be delivered in a holistic manner through landscaping and not solely engineering; he said that the layout

of the proposal relied on a non-SuDS solution. Therefore, he said, whilst the solution was not totally SuDS compliant, it was technically acceptable and would meet expectations. He disagreed that it would set a precedent as each case was considered on its own merits.

Councillor Yule asked if the drainage solution would future-proof the site from the impact of climate change on rainfall levels. The Planning Manager said it would.

Councillor Blundell said he was disappointed the proposal did not include space for organised sports. The Planning Manager said this was not required in a development of this scale. There was a play area provision within the open space and the existing Jubilee Park was in close proximity to the site. He noted that the Parish Council hoped to deliver a skatepark through use of community infrastructure levy payments.

There being no further matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Blundell, seconded by Councillor Newton and by unanimous vote it was

RESOLVED

That **AUTHORITY TO APPROVE** be granted with conditions including, but not limited to, those below, subject to the completion of a S106 Legal Agreement within six months to secure obligations including, but not limited to:

- Provision of 25 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stop;
- Financial contribution to fund the creation of a new public right of way.

If the S106 is not completed within six months **AUTHORITY TO REFUSE** the application (at the time of writing the report the S106 was close to being signed).

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 submitted plans and documents (to be listed).

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

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

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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

4. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

5. The site shall be developed in a phased manner in accordance with the three phases set out on the phasing plan. No work, except site investigations, shall take place outside of the relevant phased area before the Council has been notified of commencement within that phase and all relevant conditions addressed within that phase (through a CIL commencement notice)

Reason: To ensure that the development is built out in accordance with the proposed phasing plan as a phased development.

6. Prior to the commencement of development, a scheme for the provision of fire hydrants within the development shall be submitted to and agreed in writing by the

Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of fire safety.

7. The recommendations of the Preliminary Ecological Appraisal March 2018 shall be implemented in full.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

8. Prior to the commencement of development full details of the mitigation/compensation measures (including nesting plots for skylark) and ecological enhancement measures identified in the Preliminary Ecological Appraisal (PEA) report (BasEcology, March 2018), shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

9. Prior to the commencement of development, a Construction Environment Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

10. No development or vegetation clearance will commence within the breeding bird season (March-August inclusive) unless works have been immediately preceded by a breeding bird check undertaken by a qualified ecologist. Should a breeding bird be found located on the site, works shall only take place in accordance with the advice put forward by the ecologist, who will advise on suitable mitigation and buffer distances.

11. No development shall commence until means of protecting the trees on and surrounding the site have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

12. Prior to the commencement of development, soft and hard landscaping details will be submitted and will include the following: play equipment and features and other structures including public bins and signage.

13. The landscaping management plan for public amenity areas shall be implemented and all approved Landscaping shall be retained and managed in accordance with the standards and annual maintenance regime set out in the approved Landscape Management Plan.

14. Prior to the commencement of development full details of the acoustic bund/barrier adjacent to the northern boundary of the site shall be submitted to and approved in writing by the local planning authority. The approved acoustic bund/barrier shall be completed in accordance with the approved details prior to the occupation of the adjacent dwellings.

Reason: In the interests of residential amenity and to ensure root protection areas are not disturbed by compaction or excavation.

15. Prior to the commencement of development a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal shall be submitted. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: in accordance with the sustainable construction objectives of policy SCLP9.2 of the East Suffolk (Suffolk Coastal) Local Plan.

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

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

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

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

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

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

<https://www.suffolk.gov.uk/roads-andtransport/flooding-and-drainage/flood-risk-asset-register/>

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

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

- iv. Temporary drainage systems
- v. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- vi. 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 <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

20. 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.

21. Details of the estate roads and footpaths to be adopted and not adopted, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority in the following order.

1. To submit details for the completion of the construction of the road and footway at Garden Square, and to get these approved prior to commencement.
2. To complete the construction of Garden Square to an adoptable standard prior to first occupation in Phase 1.
3. To submit details for the construction of the main road through the site from Garden Square to Tidy Road, and to get these approved prior to commencement.
4. To construct and complete the main road through the site from Garden Square to Tidy Road to an adoptable standard prior to first occupation in Phase 1.
5. To get Garden Square and the main road through the site adopted after Phase 3 is completed, ie when the roads are no longer used by construction traffic.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

22. Condition: No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

23. The approved scheme for areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

24. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP) in accordance with the requirements in the Transport Statement. Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include details of walking, cycling (for transport and recreation) and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher. This pack should also provide information on any designated local dog walking routes accounted for the Appropriate Assessment to encourage residents to undertake dog walking in areas away from the Sandlings Special Protection Area.

Reason: In the interest of sustainable development

25. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking and paragraph 110 of the National Planning Policy Framework.

26. No part of the development shall be commenced until details of a Public Right of Way link (as set out in the section 106 agreement) within the development site to link from Sycamore Drive to the northern east corner of the site have been submitted to and approved in writing by the Local Planning Authority. The link shall be laid out and constructed within an agreed timescale as part of phase 1 of the development.

Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time.

27. Prior to commencement of development a waste management strategy for collections of domestic waste by a public or private operator shall be submitted and agreed. This will include details of bin storage locations and bin collection points and collection arrangements.

Reason: Due to the extent of unadopted roads and private drives creating potential difficulties in bin collection from individual properties or communal collection areas as access is dependent on agreement between the waste collection service and developer.

28. Prior to the commencement of any development in phase 1 a Construction Method/Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall also be submitted prior to the commencement of phase 2 and phase 3. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Construction methods and piling techniques.
- d) Storage of plant and materials used in constructing the development;
- e) Programme of works (including measures for traffic management and operating hours);
- g) Details of HGV delivery and collection vehicle routes and times to and from the site during construction phase. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Site security and public safety measures;
- j) Wheel washing facilities to prevent mud and sand from vehicles leaving the site during construction;
- k) Measures to control the emission of dust and dirt during construction;

l) A scheme for recycling/disposing of waste resulting from construction works.

The Meeting adjourned at 3.40pm and reconvened at 3.50pm

7 DC/21/2194/FUL - Lincolns Meadow, Brook Lane, Framlingham, IP13 9RH

The Committee received report **ES/0851** by the Head of Planning and Coastal Management. The report described the application for the demolition of an existing garage and the erection of a new home office and workshop within the existing substantial curtilage of the property. The application was presented to the Committee as the applicant was a relative of an employee of East Suffolk Council. The Trainee Planner, in presenting the report, said the application was in accordance with the policies of the Council and the Suffolk Coastal Local Plan. The Committee was informed that the application sought permission to demolish the current double garage and to replace it with a new home office and workshop, with bicycle storage to the rear. The Committee was referred to the height, depth and width of the proposed development, which were of acceptable size and not dominant in the setting; its design and materials were also considered to be complimentary to its rural setting. There had been no third party representations received.

The Chairman invited questions.

Councillor Yule asked if the proposed development would have sewage and water connections. The Trainee Planner replied that she was not aware that this was intended.

There being no matters raised for debate, the Chairman moved to the recommendation within the report. This was proposed by Councillor Hedgley, seconded by Councillor Newton and, by unanimous vote, it was

RESOLVED

That the proposed development be **APPROVED** 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 materials and finishes stipulated in the submitted planning applications shall be as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the proposed enlarged part of the development is satisfactory in appearance, in the interests of visual amenity.

3. The development hereby permitted shall not be carried out other than in complete accordance with drawings Site / Location Plan, Proposed Floor Plan 1042/21/07 REV C, Proposed Floor Plan 1042/21/06/ REV C, Proposed Elevations 1042/21/11 REV C, Proposed Elevations 1042/21/10 REV C, Proposed Elevations 1042/21/09 REV C, Proposed Elevations 1042/21/08 REV C, Proposed Block / Layout

Plan 1042/21/13 REV A and Plans 1042/21/12 Rev B.

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

Informatives:

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

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

8 DC/21/2570/FUL - 175 Grange Road, Felixstowe, IP11 2PZ

The Committee received report **ES/0850** by the Head of Planning and Coastal Management. The application, presented by the Case Officer, sought permission to erect a part two-storey and part single storey rear extension. The application had been to the Referral Panel on 6 July 2021 as the objection by Felixstowe Town Council was contrary to the recommendation for approval. The Referral Panel had asked that the Committee consider the application and whether, or not, the revised proposal was acceptable in terms of size and mass under Local Plan Policy SCLP11.1 (Design), and whether, or not, the proposal would have a detrimental impact on the neighbouring property's amenity under Local Plan Policy 11.2 (Residential Amenity). The Case Officer's presentation, in addition to the published report, included a site description, the two representations in objection to the proposal on material planning considerations, the planning considerations of visual amenity, street scene and landscape, residential amenity, and parking and highway safety. The Committee was reminded that it had refused a previous application (DC/20/5119/FUL) for a larger scheme on the grounds that the size and scale of the new mass were unacceptable,

contrary to Local Plan Policies and might have had a harmful impact on the neighbouring property's amenity. The revised proposal before the Committee now sought to build a smaller two-storey rear extension, with a flat roofed single storey element below. The Case Officer said the proposal had been reduced in width and was not considered over development as there remained sufficient curtilage left at the property and a good rear garden space.

The Chairman invited questions.

Councillor Bird sought assurance that the new proposal did not impinge on the attached neighbouring property to the north in terms of reducing their sunlight or overlooking their windows. He asked if the technical calculations to assess this had been undertaken. The Case Officer replied that calculations had been undertaken for the previous, larger application and that the reduced mass of the new proposal was not considered to cause harm to the amenity of neighbours with gaps between the structure and the neighbours windows. He added that he had considered the orientation of the sun and there would be minimal loss of light or shadowing due to the angle of the plots.

Councillor Yule asked if the applicant might wish to use the flat roof as a terrace, for example. The Case Officer said that, if approved, there would not be permanent development rights so, to use the roof, the applicant would need to apply for permission.

The Chairman invited the Applicant, Mr Farino, to address the Committee. Mr Farino said that since the last, refused application had been considered he had reduced the size of the extension on the first floor. He said that the extension was only to accommodate a family bathrooms upstairs as, currently, the bathroom was on the ground floor. Mr Farino said this would improve the living space for his family. Mr Farino said there would not be an issue with sunlight and that the proposed structure would be far away from the neighbour's windows at the highest point.

There being no questions for Mr Farino, the Chairman moved to debate. The Chairman said there had been reservations with the original application due to its size being unacceptable, however, this had been addressed in the revised design. She said the Case Officer was confident in his report and presentation that there would no adverse impact.

Councillor Deacon said that he had had concerns about the proposal but had been reassured by the Case Officer's explanation. Councillor Bird said he too had had concerns about the potential of a detrimental impact on the neighbour's sunlight, but had also been assured by the Officer's confirmation, based on his technical assessment, that this would not occur.

Councillor Hedgley said the proposed extension was reasonable and not out of place in its setting; he added that it did not overlook the neighbours windows or impinge on their amenity.

Councillor Yule said she noted the Town Council's objections but had been encouraged by what she had heard at the meeting.

There being no further matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Deacon, seconded by Councillor Bird and by majority vote (Councillor Cooper abstained as he had not been in the Conference Room for some of the Officer's presentation) it was

RESOLVED

That the application be **APPROVED** 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 PP001A received 27/05/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

Informatives:

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

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

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk.

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

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

The meeting concluded at 4.15pm

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Chairman