

**Confirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 17 December 2019** at **2.00 pm**

**Members of the Committee present:**

Councillor Melissa Allen, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Debbie McCallum

**Officers present:**

Joe Blackmore (Development Management Team Leader), Rachel Lambert (Planning Officer (Major Sites)), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Development Management Team Leader)

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Kay Yule. Councillor David Beavan acted as her Substitute.

**2 Declarations of Interest**

Councillor Hedgley declared a Local Non-Pecuniary Interest in item 6 of the agenda as the Ward Member for Carlford and Fynn Valley.

Councillor McCallum declared a Local Non-Pecuniary Interest in item 6 of the agenda as both the Ward Member for Kesgrave and as the business owner was known to her.

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

Councillor Hedgley declared that he had been lobbied verbally on item 6 of the agenda by Little Bealings Parish Council.

**4 Minutes - 22 October 2019**

**RESOLVED**

That the Minutes of the Meeting held on 22 October 2019 be confirmed as a correct record and signed by the Chairman.

**5 Minutes - 26 November 2019**

**RESOLVED**

That the Minutes of the Meeting held on 26 November 2019 be confirmed as a correct record and signed by the Chairman.

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

The Committee received report **ES/0221** of the Head of Planning and Coastal Management. The report was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 2 December 2019.

The Chairman invited questions to the officers.

A member of the Committee highlighted an enforcement case at Chestnuts, Martlesham Road, Little Bealings, and asked if it had been brought to officer's attention as he had sent an email about it some weeks previously. The Head of Planning and Coastal Management assured the Member that he would take the matter forward.

### **RESOLVED**

That the report concerning outstanding enforcement matters up to 2 December 2019 be received and noted.

## **7 DC/19/2666/FUL - Kesgrave Quarry, Sinks Pit, Kesgrave, IP5 2PE**

The Committee received report **ES/0222** of the Head of Planning and Coastal Management, which related to planning application DC/19/2666/FUL.

Planning Permission was sought for the erection of a new headquarters building for a vehicular hire business. The building was proposed to contain offices and a workshop for the vehicles and storage. The site was towards the western end of the former gravel extraction pit, on an area of land to the west of building and associated land operated by Tru7group (granted under DC/15/4908/FUL).

The current application site was approved for the 'Fork Rent' Headquarters Building in February 2014 (DC/13/3408/FUL). That consent was not implemented and had therefore lapsed.

The application was before the Committee as it had been advertised as a departure from policy, due to its proposed non-rural related employment and its location outside any physical limits boundary in the countryside and outside any designated employment site.

The Committee received a presentation on the application from the Development Management Team Leader.

The site location map was displayed, which denoted the red line for the application site and marked out in blue the boundary of the land owned by the applicant. The site was described as a former quarry and exited on to Main Road in Kesgrave. The Development Management Team Leader stated that the nearest residential properties, as the crow flies, were in Playford Road.

The Committee was shown a site context map which outlined the site's proximity to the boundary of Playford, the main site in Little Bealings, the exit into Kesgrave, and the relationship to the SSP2 boundary.

The Development Management Team Leader summarised the responses from Little Bealings Parish Council, Playford Parish Council, and Kesgrave Town Council, as set out in the report. She also highlighted the comments from the Environment Agency that were contained in the update sheet, and further comments from Natural England were still awaited.

Site photographs were displayed which demonstrated views of the access road and footpath, the site entrance and footpath, the localised and glimpsed views from the footpath, the view to the northern and north-western boundaries from the footpath, and views of the site from private land that was owned by the applicant.

It was noted that the application site was not part of the main quarry site that had been subject to a restoration plan.

The details of the previously consented scheme were outlined. The Development Management Team Leader confirmed that the proposed scheme was very similar in terms of the nature of the use, and therefore the principle of development was established by the previously consented application.

The proposed block was displayed; it was confirmed that the proposed buildings would look similar to those on the neighbouring development. The proposed floors plans and elevations were also displayed.

The key issues were summarised as the principle and sustainability of development, employment and economic considerations, transport, highway safety and parking provision, potential for noise and disturbance, external appearance and visual impact upon the landscape, external lighting, impact upon trees, and ecological biodiversity.

The Development Management Team Leader acknowledged that further drainage information was still required but that an update on that situation was detailed in the update sheet.

The Chairman invited questions to the officers.

A member of the Committee referred to paragraph 7.44 of the report, relating to objections on the grounds of noise and disturbance and impacts upon residential amenity, from residents in Playford Road. He sought confirmation that this issue had been ongoing for the last three years. The Development Management Team Leader confirmed that this was the case; some of the complaints related to the site operated by the applicant and the remainder to the Suffolk County Council (SCC) site adjacent. It was noted that SCC had applied to install an acoustic bund at the top of the site and that it was the determining authority for such planning applications.

The Committee was advised that the existing noise concerns could not be addressed as part of the application that was before it, but that it could seek to ensure that the noise

issue did not increase. The Development Management Team Leader noted that conditions had been included in the recommendation in order to achieve this.

It was confirmed that the operating hours of the site could be controlled through conditions. A member of the Committee queried allowing HGVs to operate from 5.30 am as the start of the operating hours was 7.00 am. The Development Management Team Leader said that this was to allow larger vehicles to be removed from the site before the start of operations and that there would be a limit on the number of vehicle movements permitted between 5.30 am and 7.00 am.

Another member of the Committee noted the noise concerns that specifically referred to the sound of reversing indicators and asked what could be done about this. The Chairman considered that the complaints could only be monitored through their submission to Environmental Health and it was highlighted by the Development Management Team Leader that the Council's Environmental Health team had not objected to the application and had recommended conditions.

The Head of Planning and Coastal Management informed the Committee that the application previously consented on the site had proposed the same operating hours and stated that it needed to question if anything was materially different compared to the last application if it wished to come to a different conclusion; it was the opinion of Planning Officers that there had not been a materially different change.

On the request from a member of the Committee, the site context map was displayed and the relationship of the site to Kesgrave Hall was demonstrated.

The Chairman invited Ms Saagi, representing Little Bealings Parish Council, to address the Committee.

Ms Saagi advised that Little Bealings Parish Council had discussed the application at its meeting on 22 July 2019 and then, as now, had not objected to the application subject to conditions, which had been included in the recommendation. She said that this position had been adopted at the meeting in the knowledge that SCC would be applying to install an acoustic bund, which had now happened.

It was the wish of Little Bealings Parish Council that the noise levels were kept to a minimum as much as possible. Ms Saagi noted that the noise from reversing indicators could be heard from Playford Road; surveys on light and noise pollution were requested as it was considered that light and noise pollution was already getting worse.

Ms Saagi acknowledged that the acoustic bund, if installed, may overcome some of the noise issues being experienced. She suggested that the operating hours should not be changed as the proposed changes would impact negatively on residential amenity.

The Chairman invited questions to Ms Saagi.

Ms Saagi described the impact of noise on residential amenity as being low level noise that became irritating over a period of time. She said it was not a single continuous sound, but rather a variety of different noises. Ms Saagi stated that Little Bealings

Parish Council would be content with the application being approved providing that the conditions were adhered to and they were signposted about who to make any complaints to regarding noise impacting on residential amenity.

It was confirmed that the reversing indicator sounds were a health and safety requirement.

A member of the Committee asked Ms Saagi if most residents of Playford Road had complained at one time or another, regarding the noise. The Chairman noted that only complaints received could be considered but allowed Ms Saagi to answer the question. Ms Saagi said there is a group in the area that were in contact with one another and reported concerns on a regular basis. This group also met with the site operators on a regular basis and that this relationship was beginning to improve.

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

A member of the Committee, who was Ward Member for Carlford and Fynn Valley, noted that he was not opposed to the application and supported it. He said that he had attended meetings with the site operators who had been sympathetic to noise concerns in the past but highlighted that concerns remained. He considered that the types of noises emanating from the site could be very annoying.

Another member of the Committee noted that the advice from officers was that a majority of the noise had been coming from the SCC site, which the application did not relate to. He stressed the importance of not looking at the application that was before the Committee.

The Chairman said that it was important that the original issues that had arisen from the site, such as traffic problems, and dirt and debris accumulating on roads, were not exacerbated by the new application, considering that this would be achieved in part through good communications and working between the site operators and the local community. She noted that the expansion of the site would create employment opportunities within the district. She was of the view that, providing the drainage issues were satisfactorily resolved, there was no reason to refuse the application.

During the debate, it was confirmed that the new buildings would be related to the maintenance of vehicles. The Development Management Team Leader highlighted that condition 5 of the recommendation addressed any noise concerns that could arise from maintenance activities.

The Vice-Chairman recalled the concerns raised before the approval of the previous application on the site. He said that the application that was now before the Committee was being treated sympathetically by the three parish/town councils consulted and was reassured that a realistic view was being taken. He said it was important to ensure that the Council did not let these town/parish councils down.

It was noted that the application could increase the HGV traffic on the A12.

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

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

## **RESOLVED**

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management, subject to:

- the withdrawal of the holding objection from Natural England, and
- the inclusion of the following conditions on the planning permission:

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Documents received 3 July 2019:

- Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan – Project no 4780
- Transport Statement – Project no 49809
- Preliminary Ecological Appraisal
- Planning Statement Ref: 4578-PS1 Rev P1
- Phase One Desk Study Report & Data Review – Project no 49809
- Materials Schedule Ref: 4578-PS1 Rev P1
- Landscape & Visual Assessment for Proposed Commercial Development
- Existing & Proposed Site Plan – Drawing No 7480-D-AIA,
- Block Plan – Drawing No 4578-PL1 Rev P3
- Unit 1 Floor Plans – Drawing No 4578-PL2 Rev P2
- Unit 2 Floor Plans – Drawing No 4578-PL3 Rev P2
- Unit 1 Elevations – Drawing No 4578-PL4 Rev P2
- Unit 2 Elevations – Drawing No 4578-PL5 Rev P2
- Typical Coloured Elevations – Drawing No 4578-PL6 Rev P2
- Unit 1 Roof Plan – Drawing No 4578-PL7 Rev P2
- Unit 2 Roof Plan – Drawing No 4578-PL8 Rev P2
- Design and Access Statement
- 49809/PP/002 Rev A (block plan showing drainage details) received 25 November 2019
- Flow Calculation Sheets (relating to drainage) received 25 November 2019

Reason: For 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 by the local planning authority.

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

4. The building and site herein referred to, shall be used as a depot, office, vehicle workshop and ancillary functions for the supply, hire and sale of plant and equipment, heavy machinery, diggers and vans etc as a single planning unit and for no other purpose (including any other purposes in Class B1 (Offices), B2 (General Industry) or B8 (Warehousing and Distribution) of the Schedule to the Town and Country Planning [Use Classes] Order 1987 (as amended), or any order revoking or re-enacting the said Order.

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

5. All machinery and vehicle repairs shall only take place within the hereby approved building(s). There shall be no outside working relating to vehicle and machinery repairs, apart from the washing of vehicles, within designated areas in accordance with details to be approved as part of the drainage strategy.

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

6. The working hours in connection with the use/buildings hereby permitted, shall not be other than between 7am and 7:30pm Monday to Friday and between 7am and 1pm on Saturdays; and no work shall be carried out on Sundays, or Bank Holidays, or outside the specified hours, unless otherwise agreed by the local planning authority.

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

7. No more than 12 Heavy Good Vehicle (HGV) movements shall take place on Monday to Friday during the hours of 5:30am and 7:00am or between 6:00am to 7:00 am on Saturdays (a maximum of 12 movements each day), unless otherwise agreed by the Local Planning Authority. Between 7am and the close of the HGV working hours set out condition 6, there is no restriction on the maximum number of HGV movements that can take place.

Reason: In the interests of residential amenity.

8. Heavy Good Vehicle (HGV) movements shall only take place between the hours of 5:30am and 7:30pm Monday to Friday, and between 6:00am and 1:00pm on Saturdays, with no HGV movements on Sundays or Bank Holidays (subject to the numbers restriction during early mornings outlined in condition 5), unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of residential amenity

9. Prior to the installation of air conditioning, extract ventilation, refrigeration or any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved from thereafter.

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

10. Any ventilation, air conditioning or similar plant/equipment shall only be switched on between 7am to 7:30pm Monday to Friday, or between 7am and 1pm on Saturdays. They shall be switched off at all other times including overnight, and on Sundays and Bank Holidays, when the site is not operational, unless otherwise agreed by the Local Planning Authority.

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

11. The use shall not commence until the area(s) within the site on Drawing Number 4578-PL1 Rev P3 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that there are adequate parking facilities to serve the development. To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety

12. Prior to either of the hereby approved buildings being first occupied, full and precise details of the areas/structures to be provided for secure covered cycle storage shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in its entirety before either of the hereby approved buildings are brought into use. The secure cycle storage shall be retained thereafter and used for no other purpose.

Reason: To enable employees and visitors to have access to safe and secure storage for cycles in the interest of assisting in the use of this sustainable form of transport.

13. Within 3 month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

14. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or

becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

15. The mitigation measures outlined in the hereby approved "Preliminary Ecological Appraisal (Applied Ecology, June 2019)" shall be implemented in their entirety.

Reason: To safeguard biodiversity and protected species in accordance with SP14 and DM27 of the Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework (2012).

16. Prior to the commencement of development details of an external lighting scheme for the construction phase (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, the luminance levels, and hours of use) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed, apart from that agreed under condition 17.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

17. Prior to the use commencing, details of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, the luminance levels and hours of use) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

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-asset-register/>

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. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

23. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment. An options appraisal and remediation strategy, based on these results, must give full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

24. Prior to any part of the development scheme being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

25. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

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. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant conditions(s) you will not be able to implement the planning permission & your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.

3. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. building regulations and acts relating to environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

4. The applicant is advised that a public right of way crosses the application site or adjoins the application site (Footpaths 2 and 14) and nothing in this permission shall authorise the stopping up, diversion or obstruction of that right of way. The applicants should apply to East Suffolk Council if they want the public right of way to be diverted or stopped up. It is an offence under the Highways Act 1980 to obstruct the route or damage/alter the surface of the right of way without the prior written consent of the Highway Authority, either during the construction of the development or beyond. If any development work conflicts with the safe passage of pedestrians or other users of the right of way, the applicants will need to apply to the Highway Authority for a temporary closure of the right of way. In that event you are advised to contact the East Area Rights of Way Officer, Environment & Transport, County Buildings, Street Farm Road, Saxmundham, Suffolk, IP17 1AL. Tel: 01728 403079

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

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

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/)

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

6. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address

charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)

7. The trees adjacent to and overhanging the access road are protected by Tree Preservation Order ESCC No 20 (1950). It is an offence to undertake works to the trees without prior written consent from the Local Planning Authority. Consent is required prior to the trees being lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed, damaged or removed.

8. It is recommended that the operators of the site, seek to direct all drivers eastwards from the site along the A1214 to join the main road network, and only direct west along the A1214 if they are travelling to sites in East Ipswich, Kesgrave or Rushmere St Andrew.

9. It is requested that the operators of the site encourage staff to car share, use public transport, cycling and walking to get to the site, wherever possible in order to improve the sustainability of the site and its impact upon greenhouse gas production.

10. The applicant's attention is drawn to the comments in Fire and Rescue Service Letter regarding Fire Hydrant Provision, sprinkler systems, hardstanding for appliances, and requirements of building Regulations, and these features are incorporated where possible.

11. The applicant is advised that the application site lies in close proximity to the Sinks Pit Site of Special Scientific Interest (SSSI). Care should be taken during construction to ensure that machinery and materials do not enter that area.

12. The applicant is advised that fascia advertisements fixed to the building and any other advertisements on and/or around the premises may require advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) (as amended). Informal guidance on the possible need for consent can be sought via the 'Interactive Terrace' at [https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission) or from the Local Planning Authority by submitting an application for 'pre-application advice', details of which can be obtained via <http://www.eastsuffolk.gov.uk/planning/planning-applications/pre-application-planning-advice/>

13. The applicant is advised that the bunding and vegetation which lie to the north and northwest of the application were required as part of the restoration works on a previous planning permission relating to Sinks Pit and were controlled by conditions on that consent (C97/1501). These areas lie beyond the boundaries of the current application site and therefore this consent does not authorise any works to those areas.

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

15. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.

16. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.

## **8 DC/19/3650/FUL - 59-61 College Road, Framlingham, IP13 9EU**

The Committee received report **ES/0223** of the Head of Planning and Coastal Management, which related to planning application DC/19/3650/FUL.

Planning permission was sought for the change of use and alterations to facilitate the conversion in part of an existing building formerly used as an office associated with the existing residential units within the remainder of the building. The ancillary office suite was formally used by a housing association for the management of the existing residential units on site and elsewhere. It was proposed to provide a two-bedroom residential unit.

As the 'minded to' decision of the planning officer was contrary to the comments received (within the 21-day consultation period) from Framlingham Town Council, the above application was referred to the Referral Panel on Tuesday 19 November. The outcome of the panel was for the application to be decided by the Committee as concerns were raised regarding the departure from the car parking standards and the subsequent pressure on parking within the town.

The Committee received a presentation on the application from the Planning Officer. The site context map was displayed and the site was shown to be on the corner of College Road and Mount Pleasant, to the north-west of Framlingham town centre. The site location plan was also shown.

The Committee was shown the transport links information from the Framlingham Neighbourhood Plan, which identified a pedestrian walkway route that was accessed to the south-west of the site. The Planning Officer also noted the highway pinchpoint at the corner of College Road and Mount Pleasant.

The proposed block plan was demonstrated. The Planning Officer referred to the rearrangements to parking, cycle storage and bin storage in the site.

The proposed floor plans and elevations were displayed. It was proposed to reduce the fenestration at the front of the building to two windows and to install new painted render.

The Committee was shown street view photography from Google Maps as well as various views of the site from College Road.

It was noted that the scheme did not meet the parking requirements as set out by the Highways Authority and that Framlingham Town Council had raised that one parking space was subject to a covenant. The Planning Officer confirmed that each unit would have one parking space and that there would a space for visitor parking as well as cycle and bin storage. The development would not impede on the pedestrian walkway to the south-west of the site and a condition within the recommendation for a lighting strategy would ensure that the route remained safe and accessible.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Planning officers.

The Planning Officer confirmed that the development would rearrange the internal floor space of the existing building and that there would be no change to the building's footprint.

In relation to a question on how the development accorded with the Framlingham Neighbourhood Plan, the Committee was advised that the Plan identified a need for smaller housing units, which the development met. There was already a residential element to the building and the changes were being made to the former office area at the front of the building.

There were double yellow lines immediately outside the site to prevent on-street parking, along with nearby layby parking.

The Chairman invited Mr Tanner, agent for the applicant, to address the Committee.

Mr Tanner thanked the Planning Officer for clearly presenting the proposals. He noted that the building was unoccupied and had previously been used for sheltered and social housing and considered that the application was only before the Committee as Framlingham Town Council had objected to the application.

The site was said to have no delineated parking and Mr Tanner highlighted that the current scheme ensured that eight spaces would be provided. He acknowledged that this did not meet the standards set by the Highways Authority but noted that it had not objected to the application.

Mr Tanner considered that the site's proximity to Framlingham town centre would be a selling point to potential buyers, as residents would not have to be dependent on private vehicles. He stated that part of the building was currently for office use which required parking and that the modifications proposed reduced the parking already required at the site.

Mr Tanner described the proposals as a really good chance to provide smaller dwellings at an affordable level near the town centre, where such housing was required. He asked the Committee to support the application.

The Chairman invited questions to Mr Tanner.

A member of the Committee noted the comments from Framlingham Town Council regarding a covenant for a parking space and asked if this would be preserved. Mr Tanner stated that this was incorrect and that the Town Council's comments had been based on anecdotal evidence. He informed the Committee that there were no legal documents to covenant a parking space. The Chairman reminded the Committee that covenants were a civil issue and not a planning matter.

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

Members of the Committee noted that the application met a need for smaller units in a town centre location, as identified by the Town Council. Several Members were supportive of the application, considering that the lack of parking was by one space and was also outweighed by the good walking and public transport links to the town centre.

One member of the Committee noted that although residents would not be dependent on private vehicles to access the town centre, this might not be the case for travelling to and from employment if they did not work in the local area.

It was confirmed that the nearby car park was pay and display and that season tickets could be purchased.

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

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

## **RESOLVED**

That the application be **APPROVED** subject to conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act (1990) (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings, received on 18 September 2019:

- Site location plan (19152 5);
- Proposed block plan (19152 4); and
- Proposed ground floor and first floor plans (19152 1D).

Reason: For 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 by the local planning authority.

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

4. Before the development is commenced details of the area to be provided for the 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 that the minimum cycle storage provision outlined within Suffolk Guidance for Parking (2019) is achieved and to promote sustainable transport.

5. The use shall not commence until the area within the site shown on Drawing No. 1952 4 for the purposes of manoeuvring and parking of vehicles, and secure cycle storage, has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the onsite parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No.1952 4 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

7. Appropriate lighting should be provided to illuminate the car parking area and walkway steps, the precise details of which shall be submitted to and agreed in writing by the local planning authority. The approved scheme shall be installed within one month of occupation of the residential units.

Reason: In the interests on residential amenity and highways safety.

8. Within three month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest 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. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that may be necessary to comply with Building Regulations (2010) must also be approved in writing by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

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

Note: The Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>

4. The development included (or appears to include) one or more of the following:

- a. Works to an existing wall or structure shared with another property;
- b. The construction of a wall or building on or close to a property boundary;  
and/or
- c. Excavations near a neighbouring building.

You are advised that the provision of the Party Wall Act (1996) may apply to this development. An explanatory booklet concerning the implications of this Act is available from the Department for Communities and Local Government - [www.gov.uk/party-wall-etc-act-1996-guidance](http://www.gov.uk/party-wall-etc-act-1996-guidance).

The meeting concluded at 2.53 pm

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Chairman