

Confirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 28 January 2020 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, Councillor Kay Yule

Officers present:

Liz Beighton (Planning Development Manager), Michaelle Coupe (Senior Planning & Enforcement Officer), Eloise Limmer (Design & Conservation Officer), Matt Makin (Democratic Services Officer), Danielle Miller (Area Planning & Enforcement Officer), Bethany Rance (Graduate Town Planner (Energy Projects)), Katherine Scott (Development Management Team Leader), Robert Scrimgeour (Principal Design & Conservation Officer), Rachel Smith (Senior Planning & Enforcement Officer)

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Declarations of Interest

Councillor Bird declared a Local Non-Pecuniary Interest in item 9 on the agenda, as a member of Felixstowe Town Council and Vice-Chairman of its Planning and Environment Committee.

Councillor Deacon declared a Local Non-Pecuniary Interest in item 9 on the agenda, as a member of Felixstowe Town Council.

Councillor McCallum declared a Local Non-Pecuniary Interest in item 7 of the agenda, as she lived opposite the application site.

3 Declarations of Lobbying and Responses to Lobbying

No declarations of lobbying were made.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 17 December 2019 be confirmed as a correct record and signed by the Chairman.

5 Quality of Place Awards 2019

The Committee received a short presentation on the 2019 Quality of Place Awards from the Design and Conservation Officer.

It was explained that the awards had been held annual since 2010 in the former Suffolk Coastal area and that 2019 was the first year the awards had extended to the whole of East Suffolk. The Design and Conservation Officer said that the aim of the awards was to recognise good design in the District.

The awards had been presented in November 2019 and the judging panel had been chaired by Councillor Ritchie, Cabinet Member with responsibility for Planning and Coastal Management.

The Design and Conservation Officer presented an overview of the following awards:

Design

Joint Winner - 71 Kirkley Run, Lowestoft

Joint Winner - The Listening Station and The Watch Room, Reydon

Highly Commended - Lord's Terrace and Sole Bay Terrace, Southwold

Highly Commended - Prospect Place, Framlingham

Building Conservation

Winner - Sibton Abbey

Landscape

Winner - Sutton Hoo

Community

Winner - Kelsale Signpost Restoration

The Committee thanked the Design and Conservation Officer for the presentation.

6 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0265** 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 27 December 2019. The report was taken as read.

The Chairman invited questions to the officers.

A member of the Committee sought an update on an outstanding enforcement case in Top Street, Martlesham, which was within his Ward. The Planning Development Manager said that this case had been appealed and was pending determination by the Planning Inspectorate (PINS).

Another member of the Committee asked if the site at Chestnuts, Martlesham Road, Little Bealings, had been visited. The Planning Development Manager confirmed that the case had been allocated and said that she would update the Member via email after the meeting.

RESOLVED

That the contents of the report be received and noted.

7 DC/19/4322/FUL - 102 Main Road, Kesgrave, IP5 1BL

The Committee received report **ES/0275** of the Head of Planning and Coastal Management, which related to planning application DC/19/4322/FUL.

The application site was located on the northern side of Main Road, Kesgrave, and in planning terms was considered to be in the countryside. The application sought to replace the existing bungalow with a larger property located in a different position within the site.

The application was presented to the Referral Panel on 23 December 2019. At this meeting it was decided that the application should be determined by the Committee so that it could give full consideration to whether the proposal was 'more visually intrusive in the countryside', particularly with regard to the increased footprint in relation to Policy DM3 of the Suffolk Coastal Local Plan.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. The site location was outlined and the site's proximity to the physical limits boundary of Kesgrave was established.

The application was for a 1:1 replacement of a dwelling in the countryside. Officers were of the view that the proposed dwelling was not more visually intrusive in the countryside than the existing dwelling. Although the new dwelling would have a larger footprint it would be, overall, a similar size to the existing dwelling.

The Committee was shown several photographs of the site, outlining its relationship to the surrounding area and highlighting where the new dwelling would be positioned on the site. The Committee was also shown comparisons between the existing streetscene and proposed streetscene, and the existing site layout and the proposed site layout. The proposed floor plans and elevations were also displayed.

The key issue was summarised as being whether the new dwelling would be more visually intrusive in the countryside than the building it was replacing.

The recommendation to approve and its conditions, as set out in the report, were outlined.

The Chairman invited questions to the officers.

The Senior Planning and Enforcement Officer outlined the route from the vehicular access with Doctor Watson's Lane to the proposed garages. It was confirmed that the existing vehicular access would be used, and that the removal of an existing fence and the repositioning of the dwelling would improve the visibility of the visual access. It was also acknowledged that the proposal would result in more traffic movements on and off the site.

The Committee was advised that any fencing adjacent to the highway would need to be subject to a separate planning application.

The Chairman invited Mr Kirkpatrick, the applicant's agent, to address the Committee. Mr Webb, the applicant, accompanied Mr Kirkpatrick to answer any questions that the Committee had.

Mr Kirkpatrick noted that the Senior Planning and Enforcement Officer's report had been thorough. He confirmed that the existing vehicular access would be retained, and that the visibility splay would be improved.

Mr Kirkpatrick also advised that there was no intention to replace the hedge bordering Main Road with fencing.

The Chairman invited questions to Mr Kirkpatrick and Mr Webb.

The Committee was advised that the fencing currently adjacent to the vehicular access would be removed to improve visibility.

There being no further public speaking, the Chairman invited the Committee to debate the application that was before it.

The Chairman opened debate, noting her familiarity with the site as she had lived opposite it for 20 years. The current dwelling was a modest bungalow and was no longer suitable to downsize to. The Chairman considered that the proposed dwelling was a like for like replacement in terms of a dwelling in the countryside, suggesting that it would be a benefit to the visibility on what was currently a dangerous junction between Doctor Watson's Lane and Main Road.

Several members of the Committee agreed with the Chairman's comments, highlighting that the proposed dwelling would not be more visually intrusive, was in keeping with its surroundings and noting the impact of the BT buildings in the background. One member of the Committee considered that that the proposed dwelling would be less visually intrusive than what was currently on the site and would improve road safety, stating that the design was a contemporary one.

There was some debate on the possibility of a new fence on the side of the site bordering Main Road, as this had been a reason for Kesgrave Town Council objecting to the application. The Chairman stated that this was one of several objecting reasons given by Kesgrave Town Council, and the Planning Development Manager said that the plans shown displayed an existing fence.

It was confirmed that the tree on the site would be retained.

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

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

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan received 7 November 2019, Drawing Nos. 181019 and 191019 received 5 November 2019 and Ecology Report received 18 November 2019 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 3 metres. Thereafter the access shall be retained in the specified form.

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

5. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway.

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

6. Before the development is commenced details shall be submitted to and approved by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

7. Prior to occupation of the dwelling hereby permitted, precise details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved 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 in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

8. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, December 2019).

Reason: In order that there will no harm to any protected or priority species on the site.

9. No development, demolition, site clearance (including clearance of vegetation) or earth moving shall take place, or material or machinery be brought onto the site, until a plan detailing Reasonable Avoidance Measures (RAMS) for how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.

Reason: In order that there will no harm to any protected or priority species on the site.

10. No development shall commence or any materials, plant or machinery be brought on to the site until fencing to protect the trees along the eastern site boundary has been erected 1 metre beyond the canopy of the trees. The protective fencing shall comply with BS.5837 and be retained throughout the period of construction unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

11. No development shall commence on the construction of the hereby approved replacement dwelling, until the existing dwelling (known as '102 Main Road') has been demolished in its entirety, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that there would be no more than 1 dwelling on the site, in the interests of residential amenity and because the site lies within the countryside, where additional dwellinghouses are only permitted in exceptional circumstances.

12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including 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.

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@eastsuffolk.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/19/4258/FUL - Pettistree, Castle Green, Orford, IP12 2NF

The Committee received report **ES/0276** of the Head of Planning and Coastal Management, which related to planning application DC/19/4258/FUL.

The application sought alterations and extensions to Pettistree, a detached bungalow located within the physical limits boundary of Orford, the Orford Conservation Area and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. It is located adjacent to Orford Castle, a Grade I Listed Building and Scheduled Monument.

The application was at Committee as the Head of Planning and Coastal Management had requested that it be determined by the Committee given the strong objection made by Historic England and the officer's recommendation of approval. The referral process was not triggered as the Historic England comments were received outside of the formal consultation period.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. The site location was outlined, and the Committee was advised on the proximity of the application site to both Market Hill and Orford Castle. The vehicular access for the site was at the rear of the Orford Castle car park.

Photographs of the application site were displayed which demonstrated the view to the site from the top of Orford Castle, the current dwelling on the site and the collection of outbuildings surrounding it. Photographs were also shown that demonstrated views from within the garden area of the current dwelling.

The Senior Planning and Enforcement Officer stated that the current property was hidden from most views into the site, with the exception of the view from the top of Orford Castle.

Further photographs were displayed to demonstrate which outbuildings would be removed and those that would be incorporated into the proposed development.

Photo montages were displayed to suggest how the proposed dwelling would fit in with its surroundings. Details were given on the types of materials that would be used and it was noted that darker materials would be used to minimise the visual impact of the building.

The Committee was shown the existing plans for the site, including elevations. It was also shown proposed plans and drawings of the development of the existing dwelling and some outbuildings. Part of the site was within the Scheduled Monument site and a separate planning application had been submitted for that part of the site. The drawings displayed demonstrated what parts of the main dwelling would be retained and what would be replaced. The Senior Planning and Enforcement Officer considered that the proposals would make several improvements to a non-designated heritage asset.

The proposed streetscene was detailed which suggested that the contemporary design, in conjunction with the proposed materials, would result in a dwelling that would be visually recessive.

The Senior Planning and Enforcement Officer was of the view that the scheme was overall an interesting and high-quality design, that would create a new design feature for an existing building without impacting on Orford Castle or the wider conservation area. The materials

proposed to be used would ensure that the development was in keeping with the characteristics of the area.

The Committee was shown a drawing of the east elevation, with Orford Castle included to scale.

The key issues were summarised as design, impact on the conservation area, and the impact of the setting of Orford Castle.

The recommendation to approve and its conditions, as set out in the report, were outlined.

The Chairman invited questions to the officers.

The row of terraced houses neighbouring the left-hand side of the application site, as seen in the photograph taken from the top of Orford Castle, were identified as being houses that fronted on to Castle Hill. The Senior Planning and Enforcement Officer highlighted that the proposed developments were on the right-hand side of the site as seen from that vantage point, further away from the terrace of houses.

It was confirmed that there had been no local objections to the application.

The Chairman invited Mr Pearce, the applicant, to address the Committee. Mr Pearce was accompanied by Mr Driver and Mr Alston of Hoopers Architects, who were present to answer any questions that the Committee had.

Mr Pearce was of the view that the Senior Planning and Enforcement Officer had given a comprehensive report and stated that he had worked closely with Planning Officers to come up with a sympathetic design before making the application. He considered the roof design to be innovative and that it mirrored the existing rooflines that could be seen from Orford Castle. He highlighted that comprehensive impact reports had been completed to ensure that the design did not impact its surroundings and that local materials would be used to achieve this.

Mr Pearce said that the new 'wing' of the dwelling had been moved away from neighbouring properties in Castle Hill and noted that there had not been any local objections to the proposals.

It was highlighted to the Committee that additional land had been purchased in order to create an access to the site via the neighbouring allotment track, in order to minimise disruption to the Orford Castle car park during construction.

Mr Pearce explained his family's close links with Orford and the surrounding area and that it was the intention for Pettistree to be a family home, having moved away from the area for a number of years. He confirmed that it was the intention to use the dwelling as a primary home rather than a second home.

The Chairman invited questions to Mr Pearce.

It was highlighted on the plans where the site had been extended via land purchase to ensure a right of way via the allotment track, which could be used by construction vehicles to access the site.

There being no further public speaking, the Chairman invited the Committee to debate the application that was before it.

Members of the Committee complimented the proposed design and noted the length of time that had gone into planning it. Members of the Committee considered that the proposed dwelling would fit in well to the surrounding area.

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

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

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 01 P3, 20 P4, 30 P4, 31 P4, 50 P4, 51 P4, 100 P3, 201 P3, 202 P3 and LSDP 1015.01 all received 31 October 2019 and Ecological Appraisal, Landscape and Visual Appraisal, Design and Access Statement, Statement of Significance and Heritage Statement all received 31 October 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

- (i) Schedule of repairs to Pettistree
- (ii) Full specification of external materials to existing buildings and proposed additions
- (iii) Representative fenestration details to the cottage and proposed additions
- (iv) Landscaping details including boundaries and surfacing

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

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

4. Prior to the commencement of development, a copy of the Statement of Significance shall be deposited with the Suffolk County Council Historic Environment Record. Within one week of this being done, confirmation of this shall be sent, by email, to the local planning authority.

Reason: The Statement is considered to be of sufficient merit and quality to form part of the public record.

5. No development shall take place 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.

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 (2019).

6. 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 5 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 (2019).

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. In respect of Condition 4 of this planning permission, please email planning@eastsuffolk.gov.uk quoting reference DC/19/4258/FUL.

9 DC/19/4471/ROC - Cowpasture Farm, Gulpher Road, Felixstowe, IP11 9RD

The Committee received report **ES/0277** of the Head of Planning and Coastal Management, which related to planning application DC/19/4471/ROC.

The application sought to remove an agricultural occupancy condition imposed on the original outline planning consent for this single storey dwelling. Given the site's location in the countryside outside the settlement boundary of Felixstowe, the retention of the dwelling without any restriction was contrary to the provisions of the Development Plan.

The application was recommended for approval as the occupancy of the dwelling without compliance with the occupancy condition had been established through the granting of a Certificate of Lawfulness.

Also relevant was that planning permission had been granted for residential development on the agricultural holding that this dwelling served, and the dwelling was within the proposed North Felixstowe Garden Neighbourhood within the emerging Local Plan.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. The site location plan was outlined, and it was confirmed that the vehicular access for the site was on Gulpher Road.

The original planning consent for the dwelling was outlined. Officers were seeking removal of the condition due to the granting of the Certificate of Lawfulness; normally marketing of the property would be requested but it had been considered in this instance that it would be unreasonable to do so given that the Certificate of Lawfulness was in place.

The Committee was shown the existing block plan for the site.

The key issue was summarised as being if there were any changes in circumstances that justified the removal of the condition.

The recommendation to approve and its condition, as set out in the report, were outlined.

The Chairman invited questions to the officer.

The marketing process that would have been followed was outlined. The Committee was advised that if there was no identified need from an agricultural worker on the holding, the marketing would then be opened for an agricultural worker from elsewhere.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was also a Ward Member for Western Felixstowe, considered that it would be churlish to refuse the application given the Certificate of Lawfulness that had been granted. He noted his unhappiness with the planning permission that had been granted on the agricultural holding by appeal but acknowledged that to refuse this application would make very little difference to the overall situation on the wider area.

The Vice-Chairman stated that he understood the Member's concern and agreed that the Certificate of Lawfulness was an important element of the decision to be made. He stated that providing no changes would be made to the building itself, he could not object to the application.

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

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

RESOLVED

That the application be **APPROVED** subject to the following condition:

The development hereby permitted relates to the site plan approved under outline planning consent C6583 received 18/03/1982

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

10 DC/19/4406/FUL - 41 Wacker Field Road, Rendlesham, IP12 2UT

The Committee received report **ES/0278** of the Head of Planning and Coastal Management, which related to planning application DC19/4406/FUL.

The application site related to land to the north east of 41 Wacker Field Road, Rendlesham. The site was located within the physical limits boundary and was not within a specially designated area.

The application sought permission for an extension of a private residential garden and erection of a 1.83-metre-high close boarded fence on the two open sides to match the existing fence already in place on the other sides.

East Suffolk Council was the owner of the site and therefore in accordance with the Scheme of Delegation contained in the Constitution, the application was required to be determined by the Committee.

The Committee received a presentation on the application from the Planning and Enforcement Officer. The site location was outlined as well as the block plan which detailed the land that would be fenced off and where the fencing would be erected.

It was confirmed that the fence would be 1.83 metres high and a gate would be located on the south-east corner of the site.

Photographs were displayed which demonstrated the site in its current state and the proximity of a public Right of Way to the site.

The key issue was summarised as the visual impact.

The recommendation to approve and its conditions, as set out in the report, were outlined.

The Chairman invited questions to the officer.

Following several lines of questioning relating to the Council's sale of the land, the Committee was advised that this was not a material planning consideration and that it was required to make a decision based on the application that was before it.

The location of the fencing was established.

It was confirmed that there had been no local objections to the application.

The Planning and Enforcement Officer used the photographs to highlight the land that was subject to the application and the land that would remain open to the public.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee stated that the Committee needed to look at the application in the same way as it did any other. He noted that the issue around the sale of the land was not a material planning consideration and did not see any planning reasons to refuse the application.

Following further debate regarding the sale of the land, the Chairman invited the Planning Development Manager to address the Committee. She advised that the Committee needed to look at the application in terms of its visual impact and disregard that the Council was the landowner. Members of the Committee were reminded that decisions taken by the Cabinet, such as the sale of Council owned land, could be 'called in' via the Scrutiny Committee as prescribed in the Council's Constitution.

Several members of the Committee noted that the application appeared to be an acceptable use of the land.

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

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

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 buy a plan block plan received 11th November 2019 and fence details received on 15th January 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

Informatives:

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

The meeting concluded at 3.12 pm

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Chairman