



**Riverside, 4 Canning Road, Lowestoft, Suffolk,
NR33 0EQ**

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor David Beavan
Councillor Norman Brooks
Councillor Tony Cooper
Councillor Linda Coulam
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North** to be held in the Conference Room, Riverside, on **Tuesday, 8 February 2022 at 2.00pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at [https://youtu.be/ Pk1mCp1N2s](https://youtu.be/Pk1mCp1N2s) .

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to democraticservices@eastsuffolk.gov.uk, of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

Part One – Open to the Public

	Pages
1 Apologies for Absence and Substitutions	
2 Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3 Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4(a) Minutes - 14.12.21 To confirm as a correct record the Minutes of the Meeting held on 14 December 2021.	1 - 27
4(b) Minutes - 11.1.22 To confirm as a correct record the Minutes of the meeting held on 11 January 2022.	28 - 80
5 Enforcement Action - Case Update ES/1041 Report of the Head of Planning and Coastal Management	81 - 99
6 DC/21/2679/FUL - Land to the North of Chapel Road, Wrentham ES/1042 Report of the Head of Planning and Coastal Management	100 - 140
7 DC/21/3894/OUT - Land to the Rear of 1 Culcott Close, Yoxford ES/1043 Report of the Head of Planning and Coastal Management	141 - 162
8 DC/21/5052/VOC - 1 Station Road, Southwold ES/1044 Report of the Head of Planning and Coastal Management	163 - 179
9 DC/21/5574/LBC - Jubilee Bridge, The Ravine, Lowestoft ES/1045 Report of the Head of Planning and Coastal Management	180 - 188

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded.

The Council cannot guarantee public seating areas will not be filmed or recorded. By entering the Conference Room and sitting in the public seating area, those present will be deemed to have consented to the possible use of filmed images and sound recordings. If you do not wish to be recorded, please speak to a member of the Democratic Services team at the earliest opportunity.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email:

democraticservices@eastsoffolk.gov.uk



The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development
www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 14 December 2021 at 2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor David Beavan, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

Other Members present:

Councillor Peter Byatt, Councillor David Ritchie

Officers present: Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Matthew Gee (Planner), Mia Glass (Assistant Enforcement Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner), Alli Stone (Democratic Services Manager), Debbi Wicks (Assistant Planner), Ben Woolnough (Planning Development Manager)

Others present: Ryan Taylor (for item 8 as applicant)

Announcement

The Chairman advised that he was changing the order of the Agenda and would be taking items 10 and 11 first, as it was important that all Committee Members were present for the substantive items.

1 Apologies for Absence and Substitutions

There were no Apologies for Absence.

The Democratic Services Administrator advised that Councillor Rivett would be late joining the meeting.

2 Declarations of Interest

Councillor Ashdown declared a Local Non-Pecuniary Interest in Agenda item 6 - DC/19/2949/COU - Land adjoining Broadland Sands Holiday Park, Corton, and Agenda item 9 - DC/21/2592/FUL - Plot, Hall Lane, Blundeston, as being Ward Member. Councillor Ashdown further explained that as Ward Councillor for Lothingland, he had attended meetings of Corton Parish Council and was a representative, appointed by the Council, on the Corton Poor Man's Trust and the Allotments.

Councillor Brooks declared a Local Non-Pecuniary Interest in Agenda item 8 - DC/21/4253/FUL - 87 High Street, Lowestoft, as he was aware of the application in his capacity as Cabinet Member for Transport This declaration was made before discussions on item 8.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Agenda item 7 - DC/21/4450/FUL as the public speaker, Mr K Garrett, Applicant's Agent, was known to her, having used his services in a business capacity in the past.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Agenda item 7 - DC/21/4450/FUL - The Mission Hall, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non-Pecuniary Interest in Agenda item 7 - DC/21/4450/FUL - The Mission Hall, Lowestoft, as County Councillor for the area, and Agenda item 8 - DC/21/4253/FUL - 87 High Street, Lowestoft, as Cabinet Member for Economic Development and Chairman of the Heritage Action Zone. This declaration was made before discussions on item 8.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Ashdown declared that he had been lobbied on Agenda item 6 - DC/19/2949/COU - Land adjoining Broadland Sands Holiday Park, Corton and Agenda item 9 - DC/21/4253/FUL - Plot, Hall Lane, Blundeston, He had made no comments, other than in an advisory capacity.

4 Minutes

RESOLVED

That the minutes of the meeting held on 9 November 2021 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee received report ES/0983 which summarised outstanding enforcement cases for East Suffolk Council sanctioned under delegated powers or through the Committee up to 29 November 2021. There were currently 10 such cases.

In response to a question relating to Pine Lodge Caravan Park, Hinton, which had been ongoing since 2010, the Assistant Enforcement Officer explained that the enforcement case was closed. The reason the case was still showing was due to the fact that the Council was seeking to recoup costs.

The Planning Development Manager updated the Committee with regard to Land at North Denes Caravan Park in Lowestoft, and advised that the appeal had been upheld with compliance by 18 August 2021. That deadline had been extended until the end of October and then a further two weeks until 15 November 2021. The necessary works had still not been carried out and the Enforcement Team were seeking internal legal advice as to how to proceed on the site.

There being no further questions, it was

RESOLVED

That the report concerning Outstanding Enforcement matters up to 29 November 2021 be received and noted.

6 DC/21/4454/FUL - Balnacraig, Stanton Close, Lowestoft

The Committee considered report ES/0988 which set out details of the planning application for the erection of a detached timber garden room within the rear garden of Balnacraig, Lowestoft. The application was before Committee as the applicant was a close relative of a Council employee.

Members received a presentation showing photographs, an aerial view and site location plan together with original and amended block plans, proposed floor plan, elevations, dimensions and visual. Photographs from within the site showed the setting of the proposed building in the rear garden and trees on the boundary.

The Assistant Planner advised that due to the re-siting of the proposed building and the tree lined backdrop, there would be limited impact on neighbour amenity with adequate space around the building. The proposal was considered acceptable and approval was being recommended.

Members considered the building to be architecturally attractive and subject to the inclusion of a condition to prevent it being used for sleeping accommodation, it was

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the manufacturer's specification & Amended Site Layout Plan received 24th September and 2nd November 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 timber garden building hereby permitted, shall not be converted or used for sleeping accommodation of any kind and shall remain as a garden/sunroom for ancillary domestic use only, unless otherwise agreed by a further planning permission.

Reason: To allow full consideration of amenity impact, given the size of the structure.

4. The timber garden building hereby permitted, shall not be converted or used for sleeping accommodation of any kind and shall remain as a garden/sunroom for ancillary domestic use only, unless otherwise agreed by a further planning permission.

Reason: To allow full consideration of amenity impact, given the size of the structure.

7 DC/21/4957/FUL - Balnacraig, Stanton Close, Lowestoft

The Committee considered report ES/0989 which set out details of the planning application for a single storey front bathroom extension to facilitate accessibility for the disabled occupant at Balnacraig, Lowestoft. The application was before Committee as the applicant was a close relative of an employee and had been submitted separately to application DC/21/4454/FUL.

The Assistant Planner advised that the dwelling was one of four bungalows in a private drive and the purpose of the extension was for a disabled resident.

Members received a presentation showing an aerial view and the site location indicating that the dwelling was one of four bungalows in a private drive. Photographs showed the siting of the extension onto the bungalow and the proposed block plan, existing and proposed floor plans and elevations were also displayed.

The Assistant Planner outlined the material planning considerations and key issues and advised that it was considered to be policy compliant. No third party representations had been received and the Town Council had made no comment within the consultation period. Approval was therefore being recommended.

Members were happy to accept the officer's recommendation due to the need for the facilities and noted the proposed additional condition in the update sheet. There being no further discussion, it was

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing no. 513-01A received 29th October 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 to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

4. The new window on the south elevation at ground floor level shall be glazed with opaque glass, or other appropriate screening and shall be retained in that condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

5. The new window on the south elevation at ground floor level shall be glazed with opaque glass, or other appropriate screening and shall be retained in that condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

Note: Councillor Rivett joined the meeting at 2.20pm.

8 DC/19/2949/COU - Land adjoining Broadland Sands Holiday Park, Coast Road, Corton

The Committee considered report ES/0984 which gave details of the application seeking planning permission to extend the Holiday Park at Broadland Sands across a parcel of land to the west of the existing park. The proposal was for the stationing of 159 static holiday caravans, construction of footway/cycle way, church parking area and associated works.

The scheme had been significantly amended and reduced in scale compared to a previous application DC/18/0813/COU that had been refused by the former Waveney District Council Planning Committee.

Members received a presentation showing an aerial view, the site in question compared to the Local Plan, views from Coast Road, Church Lane, Stirrups Lane and the local footpaths showing the site context and the extent of the site, the proposed master plan compared to the refused application for 250 caravans, and the highway network. Photographs also showed the proposed site access, location of the church car park and crossing, Longfulans Lane, details of the road improvements and potential signage strategy.

The Principal Planner advised that the site access would be opposite the existing entrance where visibility was good. There would be a signalised pedestrian crossing positioned near to the existing park and that together with the provision of a car park for the church were both benefits of the scheme. A transport assessment submitted with the application showed that traffic would be pushed away from Stirrups Lane as it was deemed unsuitable and install signage and other measures towards the use of Longfulans Lane. The transport

assessment predicted 43 vehicle trips in a peak period of one hour. Highway works were being proposed for the provision of passing bays and additional signage would be provided, both of which would be secured by condition.

The Principal Planner explained the planning considerations and key issues with regard to the principle of the development, the setting of the church and provision of open space that was now being proposed. Highways matters had been agreed and the proposal would bring economic benefits to the area and additional tourism. The Park was planning ahead for coastal erosion over the next 10-15 years by expanding to the west. The open space adjacent to the church and a new church car park would benefit the listed building. A RAMS contribution was to be made prior to the siting of the caravans and a response was awaited from Suffolk Highways Authority with regard to possible conditions related to highways matters. The proposed scheme was now considered to be acceptable and was therefore being recommended for approval.

The Principal Planner referred to the additional information in the update sheet and he was seeking delegated authority to the Head of Planning and Coastal Management to approve the application subject to conditions and a RAMS contribution. He advised that consultation had been undertaken with Norfolk County Council, Great Yarmouth Borough Council and both Corton and Hopton Parish Councils and an email had been received from Norfolk County and Great Yarmouth Borough Cllr Annison, the content of which he shared with the Committee.

Members asked specific questions relating to:

- 4.3 hectares being protected as open space.
- If the anticipated highway works would be carried out before the site was developed or afterwards.
- If traffic concerns would be addressed before any occupation.
- Consideration of other access routes.
- Bus stops in the location and the bus routes.
- How many passing places were being recommended and if they would be large enough for a coach or bus.

The Principal Planner advised that the Council could not stop another application being made on adjoining land; it would, however, have to be considered on its merits and not likely to be supported by the officers. The proposed condition would secure the land for open space, which would protect the heritage asset. Full details of highway works would be subject to agreement with the Highways Authorities and likely to be before first occupation of the caravans. With difficult access via Stirrups Lane or Corton village, the proposal was to improve the existing network; no new roads would be provided. The bus shelter near the existing entrance might need to be moved and bus stops further south were all well used. He would have to check, outside of the meeting, to which towns the bus routes ran. Three additional passing places would be provided and would not be able to cater for a double decker bus.

Prior to inviting the public speakers to address the Committee, the Chairman advised that the objector who was unable to attend the meeting had not withdrawn his comments which were set out in the Minutes from 2018. Councillor Ashdown read out those comments for the benefit of those Committee Members present.

Mr P Armstrong, from Corton Parish Council, advised that their main objection was the infrastructure that had previously been mentioned. All roads were narrow and winding and not suitable for the increase in traffic. Passing points would not solve the problems. The traffic survey on arrivals and departures was not adequate and additional traffic would be generated with residents needing facilities such as food as there was minimum facilities on site. Travelling to the nearest Tesco superstore would likely use Corton Long Lane which was unsuitable. Speed cameras had caught traffic movements now with a daily volume of over 3,500 in one direction, so that would only increase. Signage might be mandated by the Highways Authorities but in the 21st century, everyone used satnav and people would follow that regardless of traffic signs. Coastal erosion was also caused by poor drainage and those issues would be exacerbated with hard standings.

In response to a Member's question relating highway network improvements that would make the scheme acceptable, Mr Armstrong was of the view that Stirrups Lane was not suitable and there would be further implications as a result of more traffic with the new garden village being proposed. He could not see any road improvements that would make the proposal acceptable. He confirmed that the buses went through Hopton to Great Yarmouth.

Mr C Ward, from Hopton Parish Council, agreed with the views of Cllr Annison. He was concerned that they had only found out about the meeting over the weekend and had not had the opportunity to express views again. In 2018, Hopton Parish Council objected to Longfurlans Lane being used as it was not suitable for extra traffic. Whilst the buses went through Hopton, the passing places were not big enough for coaches or cars towing caravans. Consideration also needed to be given to the 200 houses being built nearby which would be using the same road network. There were two resorts in Hopton and it was therefore totally unacceptable to use Longfurlans Road. It was not fit for purpose would need to be widened, so the application should be deferred as there were no highways details to be considered.

The Planning Development Manager advised that the status of applications was not automatically notified to interested parties. Public access was updated on each application and Parish Councils and the public were encouraged to register for updates on applications in their area.

As the applicant's agent, Mr Butter advised that they welcomed the officer's very comprehensive assessment of the application which had dealt with some of the issues in the 2018 application. The smaller scheme was considered acceptable and there was gain for all with highways improvements, landscaping and open space being provided. Due to coastal erosion, and with some caravans due to be removed shortly, this scheme gave the opportunity to roll back providing more accommodation for holidays in the UK which were in high demand due to Brexit and Covid. The facilities on site would be upgraded. Tourism was an important part of the area and the proposal would bring an extra £5 million into the local economy. The proposal complied with the Local Plan policies and being accompanied by the Applicant, Mr M Purdom, they were happy to answer any questions.

Members raised issues relating to:

- How many caravans would be sold off or retained.
- Where the front row of caravans were to be moved before they were lost to erosion.

- Satnav directions on the Park's website gave access via Stirrups Lane.
- Opening times and residents using their caravans for their main residence and therefore needing to pay Council Tax.
- Why the shutdown period was only two weeks per year.
- Electric charging points.
- Problems that could occur with linking into the existing sewage plant that was already failing.
- Size of church car park.
- Cycle path.

Mr Butter advised that no firm numbers had been fixed for sales, but a proportion would remain as letting caravans. The caravans would be moved to Cliff Field temporarily. The site was open from 14 February to 1 February the following year. Measures were being put in place not to allow permanent residency as the caravans were for holiday purposes only. They tried to make sure owners had a property elsewhere; it was in the company's interests to ensure no caravans were used as a residence. Some electric charging points were already on site and that number would be increased. Mr Butter confirmed that Anglian Water were satisfied that there would be no difficulties in linking to the existing sewage plant. The car park for the church would remain the same size and the cycle path would be available for Corton residents too.

The Principal Planner advised that whilst policy stated such sites would be closed for approximately six weeks per year, the Park was currently closed for two weeks per year and the proposed closure period therefore matched the existing. It was felt that that condition was appropriate for the site.

Questions to officers related to:

- Deferring the application for further discussions on highways matters.
- Significant developments on the area affecting residents.
- Traffic congestion near the church with extra vehicles at weddings and funerals.

The Planning Development Manager advised that the statutory consultation on highways had progressed satisfactorily and further discussions would not result in any alternative route. The Principal Planner confirmed that the Parish Councils and three Highways Authorities had been reconsulted on 25 June. If Norfolk Highways had been of the opinion that other developments would have a major impact, it would have been mentioned. Whilst the parking facilities at the church might not be sufficient for all vehicles, conditions there would improve.

Further questions to the applicant related to the actual development, staff and use of the pool by local residents. Mr Purdom advised that they were putting in a substantial investment of some £10 million, providing a maximum of 40 new caravans per year resulting in the development which would take 3-4 years to complete. It was expected to employ an extra 3-4 permanent staff and up to eight seasonal workers. Mr Purdom confirmed he would be happy to discuss public use of the pool with the local parishes. There was always a member of staff on site and having owned the site since 2016, a handful of people had been removed from the site due to residential occupation.

During debate, Members expressed concerns over the highways issues but noted that the improvements should be in place prior to the first occupation. Members also had concerns

that some people might wish to live on site and could easily make arrangements to be off site for the 14 day shutdown period. The Head of Planning and Coastal Management advised that they had fully discussed the period of closure and confirmed the 14 day shutdown period gave uniformity across the whole site. An annual log of occupants submitted by the Park owner would assist the Council in undertaking any enforcement that might become necessary.

The Committee agreed that road works should be completed before the first occupation and a log of occupancy was necessary and subject to those being in place, it was

RESOLVED

That authority be granted to the Head of Planning and Coastal Management to approve the application subject to:

- per-unit RAMS contribution being secured prior to determination,
- conditions related to highways matters as recommended by Suffolk County Highways Authority and finalised by officers, and 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: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. Subject to any details or amendments required by other conditions on this permission, the development hereby permitted shall otherwise be carried out in accordance with the following approved plans/drawings:

- LOCATION PLAN - RUPC.1
- Illustrative Site Layout - Rev E (LA.D.001.002.E)
- Drainage Layout (Planning) – Drawing No. 102 as detailed in the Flood Risk Assessment (FRA) (dated July 2019, ref: SHF.201.085.HY.R.01.A)
- PROPOSED ACCESS TO OFF-SITE NEW CHURCH CAR PARK (SF5050PD-001)

3. The development shall be implemented in accordance with the strategy for the disposal of surface water in the Flood Risk Assessment (FRA) (dated July 2019, ref: SHF.201.085.HY.R.01.A. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

4. 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.

5. 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:

1. 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.

6. Prior to the proposed development being brought into beneficial use a system of signs from the A47 to and from the proposed development site is to be approved in writing by the Local Planning Authority (LPA) and then Highway Authorities, and is to be installed within 12 months unless approved otherwise in writing by the LPA in consultation with the Highway Authorities.

Reason: To ensure that the A47 trunk road and connecting roads continuing to serve their purpose as a part of a national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

7. No development shall take place within a phase or sub-phase of the area indicated [the whole site] until the implementation of a programme of archaeological work for that phase 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 Planning Policy WLP 8.40 of the Waveney Local Plan (2019).

8. No caravans within a phase 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 7 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 Planning Policy WLP 8.40 of the Waveney Local Plan (2019).

9. Prior to the siting of any static holiday caravans on the land, a colour scheme/palette for the external appearance of the static caravans shall be submitted to and approved in writing by the Local Planning Authority. All static holiday caravans sited on the land shall have an external appearance in accordance with the approved colour scheme/palette.

Reason: in the interest of visual amenity and ensuring the development is well-integrated into its rural context.

10. The approved static caravans shall be used for holiday/tourism accommodation only and for no other purpose unless express planning permission is granted by the Local Planning Authority (LPA). In a single calendar year, no caravan on the site shall be occupied between the period beginning 01 February and ending 14 February unless otherwise formally approved in writing by the LPA.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said register shall be made available at all reasonable times to the LPA.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, delivering benefit to the rural tourism economy, in accordance with Policy WLP8.15.

11. No more than 159 static Caravans, ('Caravans' being as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended) shall be stationed on the site at any time.

Static caravans shall only be sited on the parcels of land identified for such purposes on the

Illustrative Site Layout (LA.D.001.002.E).

For the avoidance of doubt, static caravans shall not be sited on the southern part of the application site denoted as 'Open Greenspace' on the Illustrative Site Layout.

Reason: to ensure that the number of caravans on site is controlled and that the open green space is retained to preserve the setting of the Listed Church, to the southeast.

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 appropriate action is taken in the event of unexpected contamination being encountered on site.

13. Prior to any tree removal, the local planning authority must be provided with either: a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: to ensure that the authorised tree removal will not harm roosting bats or their habitat.

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.

The approved landscaping scheme comprises the following drawings/plans/documents:

- SHF.201.085.LA.D.045.001
- SHF.201.085.LA.D.045.002
- SHF.201.085.LA.D.045.003

- SHF.201.085.LA.D.045.004
- SHF.201.085.LA.D.045.005
- SHF.201.085.LA.D.045.006
- SHF.201.085.LA.D.045.007
- SHF.201.085.LA.D.045.008
- SHF.201.085.LA.D.045.009

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

15. Prior to occupation of any Caravans, full details of the new footpath through the site, and its connection to existing public rights of way shall be submitted and approved. These details shall include, at minimum, the exact alignment, ground surface treatment and connections with existing routes. The footpath shall then be completed and made available for public use prior to occupation of 75 Caravans. Thereafter the footpath shall be publicly accessible and retained in the approved form.

Reason: To ensure the appropriate specification and timely delivery of the footpath through the site.

16. No development shall take place on a phase, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority for that phase. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- delivery and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interest of protection of the local environment during construction.

17. Prior to occupation of any Caravans, full details of the construction, surfacing, layout and long-term management of the new Church Car Park shall be submitted to and approved by the LPA. Prior to occupation of 75 Caravans on site, the Church Car Park shall be completed and made available for the approved purpose. The Car Park shall thereafter be retained for the approved purpose.

Reason: to ensure an appropriate design and specification for the Church Car Park, and that it is delivered at the appropriate stage of the development.

Note: The meeting was adjourned from 3.47pm to 3.57pm for a short comfort break.

Note: *Councillors Brooks and Rivett made Declarations of Interest during discussion on this item.*

The Committee considered report ES/0985 seeking planning permission for the conversion of the existing Mission Hall in Lowestoft into a single dwelling and the construction of a two-storey dwelling to the southwest with parking spaces in between for both properties.

Members received a presentation showing the site location plan, aerial view, photographs of the hall, its land, the street scene in all directions, existing and proposed block plans, and proposed street scene, wall details and floor plans.

The Planner advised that the parking in the centre of the site complied with the Suffolk County guidelines. Whilst the Mission Hall was listed as an Asset of Community Value (ACV), the process of marketing had not resulted in any proposals for the building to be brought back into community use and the application now under consideration would preserve the building. The proposal would not affect the amenity of neighbours and there was no adverse impact on loss of light to neighbours. There were no issues with highway safety and parking was being provided on the site.

The Planner explained that a RAMS contribution had been made and whilst the scheme involved a minor technical departure from the wording on policy WLP8.22 relating to assets of community value, approval was being recommended subject to conditions.

Members sought clarification that electric charging points were to be provided.

The Chairman invited the applicant's agent to address the Committee under public speaking.

Mr K Garrett was pleased that the Planners report was positive and supported the scheme. He confirmed that the applicant had followed the rules relating to ACVs and no buyer had come forward. The proposal sought to retain the Mission Hall and turn it into a family home and the new dwelling would also provide accommodation and good amenity space. It was unfortunate that the building could not be retained for the community but the property would be preserved if approval was granted. Whilst electric charging points were not shown on the drawing, Mr Garrett confirmed that they could be included.

Members supported the application which would retain the historic building and subject to the addition of the electric car charging points, it was

RESOLVED

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

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

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

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

- Site Location, Block Plan and Existing Plans, 2671.20.2A, received 24/09/2021
- Proposed Plans, 2671.20.3F, received 22/11/2021

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.

4. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a report of an intrusive site investigation (in accordance with 11.11 of the submitted AFHA Phase 1 report (CJW/20.184/Phase1) has been submitted to, and approved in writing by, the local planning authority. The report must contain:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and CLR11.

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

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

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

maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and CLR11.

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 6 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and CLR11.

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

8. 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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must

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

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

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

9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no hedge, fence wall or other means of frontage enclosure shall exceed 0.6 metres in height above the level of the carriageway of the adjacent highway in the frontage area of the site.

Reason: In order to maintain intervisibility between highway users in the interests of highway safety.

10. The use shall not commence until the area(s) within the site shown on drawing no. 2671.20.3D for the purposes of loading, unloading, manoeuvring and parking of vehicles and secure cycle storage have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

11. The first floor hall and bathroom windows on the proposed side elevations shall be glazed with opaque glass and shall be retained in that condition, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the existing windows, doors and stone plaques on the front and side elevations of the building shall be retained.

Reason: To protect the special historical interest of the building.

10 DC/21/4253/FUL - 87 High Street, Lowestoft

The Committee considered report ES/0986 seeking planning permission for the restoration of the existing shop frontage, demolition of the existing rear single storey extension and the

addition of a new two storey extension to provide an additional unit of residential accommodation whilst still retaining the retail premises at 87 High Street, Lowestoft. The property was currently in a dilapidated condition, in a prominent location in the town centre and Lowestoft Conservation Area, and the proposed works would represent a considerable enhancement to the area. A residential unit would also be provided in a sustainable location with pedestrian access only and enable the building to be brought back into a viable use.

The application was before Committee as the Council was both the applicant and landowner.

Members received a presentation showing the site location, aerial view and block plan, photographs of the street scene, rear of the application site and the building from Malsters Score, existing and proposed elevations and floor plans showing the layout of the residential accommodation and shop front.

The Senior Planner advised Members of the benefits of the proposal to the building and Conservation Area and confirmed that Historic England was fully supportive. The building was in a sustainable location and there was no impact on neighbour amenity. No parking would be available but that was the existing situation with the premises. A bin store was to be provided at the rear which would require the occupiers to move bins to the road which would involve negotiating a few small steps up from the Score. However, that would be no different to the current situation. The intensification of the use was considered to be very minimal and the proposals would be an enhancement to the area. Accordingly, approval was being recommended.

In response to a question from Councillor Brooks, the Democratic Services Officer advised that as Cabinet Member his interest was similar to that of a Ward Member and it would not be necessary for him to leave the meeting.

The Chairman invited the applicant to speak.

Mr R Taylor advised that the application was giving an opportunity not only to create a good impact on the frontage and an energy efficient property, but it would also bring the building back into use. The existing street scene would be retained and they had used housing needs information to decide on layout and size of the residential accommodation being provided. It was considered to be a good quality design making best use of an under-utilised building, with the two flats being added to the Council's housing assets.

In response to a Member's question regarding housing stock, Mr Taylor confirmed that the premises would not be sold off but retained as part of the HRA stock. With regard to the rear extension, he confirmed that the ground floor had windows whilst the lower ground floor had access via doors.

The Committee supported the proposal which would result in a great improvement to the building and area and bring the property back into use with retail space and much needed accommodation. It was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PL-100 Rev B and PL-200 Rev C received 04 November 2021 and PL-001 Rev B received 09 September 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.

4. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details:

- Joinery details for the shopfront further to the reuse of existing materials where possible.
- Sectional drawings (vertical and horizontal) of the first-floor window
- Full details of all external facing and roofing materials

Reason: In order to safeguard the special architectural or historic interest of the building.

5. The areas to be provided for storage of refuse/recycling bins as shown on drawing number PL-001 Rev B 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 adequate facilities for storage are provided in the interest of highway safety.

6. Details of the areas to be provided for secure, covered and lit cycle storage including electric assisted cycles 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 promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

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

Reason: To ensure that nesting birds are protected.

8. Full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfaced areas, new boundary treatments such as gates fences and walls. Soft landscape works shall include planting plans; written specifications, schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme. Any planting shall be completed in the autumn (October - December) planting season following completion of the development, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason: To ensure a satisfactory appearance within the landscape.

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

a) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current

guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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

10. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA.

The RMS must include, but is not limited to:

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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

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

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

12. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development.

The validation report must include, but is not limited to:

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

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

13. 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.

No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority.

The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) 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.

11 DC/21/2592/FUL - Plot, Hall Lane, Blundeston, Lowestoft

The Committee considered report ES/0987 relating to an application seeking planning permission for the construction of a dwelling, garage, drive access, materials and fencing on a plot at Hall Lane, Blundeston. The site was situated in the countryside for planning

purposes albeit adjacent to the Local Plan defined settlement boundary for Blundeston.

Members received a presentation showing the site location and aerial view, photographs of the street scene, application site from various directions, block plan and proposed elevations and floor plan as submitted and as amended.

The Planner advised that the amended proposal fitted well in context particularly with the planting proposed. Whilst the development was outside the settlement boundary and therefore a departure from policy WLP8.7 in the Local Plan, the site was walking distance to the village and formed a gap between existing development without extending into the countryside. The principal of the development was considered acceptable and the design in keeping with the street scene. There would be no adverse amenity impacts with adequate separation distance, on-site parking was being provided and a RAMS contribution would be made. Approval was therefore being recommended.

Members questioned:

- Planting and vehicles projecting onto the footpath when leaving the proposed dwelling.
- Vehicles exiting on a bend.
- Height of apex to garage.
- Content of the Neighbourhood Plan.

The Planner advised that Highways had no objection to the proposal and the garage height to apex was 4.2m. The Planning Development Manager advised that the settlement boundaries were quite tight but the proposal fitted in well without setting a precedent. It was confirmed that Blundeston did not have a Neighbourhood Plan in place.

The Chairman invited the applicant's agent to address the Committee in according with public speaking rules.

Mr K Garrett advised that all points had been covered by the officer's report and presentation. Whilst the site was outside the settlement boundary, the proposed dwelling of 1 ½ floors with staggered frontage would complete the street scene. The applicant was already a resident in the village and wished to build his own property so as to stay in the village. Mr Garrett hoped Members would support the application.

Members asked questions relating to:

- Any possible modifications to improve visibility when existing from the driveway.
- The dwelling being in front of the general building line.

Mr Garrett advised that a car leaving the site had good visibility, better perhaps than pedestrians, and it might be possible to remove some hedging from the left hand side when facing the plot. The Planning Development Manager advised that Highways' standards were measured from the edge of the highway not the pavement; however, they would explore opportunities with the applicant on that aspect. The Chairman advised that there were no issues with the building line due to the curvature of the road.

Members supported the proposal for the dwelling and subject to negotiations on the hedge being satisfactorily undertaken, it was

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 2560.19.3H, and 2560.19.4A received 22/10/2021, 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.

4. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3m and been made available for use. Thereafter the access shall be retained in the specified form.

5. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

6. The access driveway shall be constructed at a gradient not steeper than 1 in 8.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

7. 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, in accordance with details previously submitted to and approved in writing by the local planning authority.

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

8. Before the development is commenced details shall be submitted to and approved in writing 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.

9. Before the access is first used visibility splays shall be provided as shown on Drawing No. 2560.19.5 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

10. The use shall not commence until the area(s) within the site on dwg. no. 2560.19.3H 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 enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

11. Before the development is commenced details of the areas to be provided for secure cycle storage and electric vehicle infrastructure 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 secure storage of cycles and charging of electric vehicles in accordance with Suffolk Guidance for Parking (2019) and to promote sustainable transport methods.

12. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 2560.19.3H 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.

13. The hedge along the front boundary of the site shall be retained as shown on drawings 2560.19.3H, and the proposed hedging shall be planted within first planting season following occupation of the dwelling, hereby permitted. Within the first 5 years, any dead or dying plant shall be replaced within the first planting season thereafter.

Reason: To protect the character and appearance of the area, and protect biodiversity.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) 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.

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>

3. 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 or email llpg@eastsuffolk.gov.uk

4. 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.

Further information can be found at: <https://www.suffolk.gov.uk/roads-andtransport/parking/apply-for-a-dropped-kerb/>

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.

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

The meeting concluded at 4.54pm.

.....
Chairman

<p>Unconfirmed</p>



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 11 January 2022 at 2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Norman Brooks, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

Other Members present:

Councillor David Ritchie

Officers present: Jamie Behling (Trainee Planner), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Phil Perkin (Principal Planner), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner), Alli Stone (Democratic Services Officer), Debbi Wicks (Assistant Planner), Ben Woolnough (Planning Development Manager).

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Beavan, Ceresa and Cooper.

Councillors Yule, Goldson and McCallum attending the meeting as substitutes respectively.

Councillor Beavan attended the meeting remotely in order to speak as Ward Member on two applications.

2 Declarations of Interest

Councillor Ashdown declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as having been consulted on the original application and being Chairman of the Waveney Planning Committee when the previous application was approved.

Councillor Brooks declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as being a Trustee of the Worlingham Community Facility. He advised that he would take no part in the discussion or voting thereon. He further declared a Local Non Pecuniary Interest in Item 5 - DC/21/0027/FUL -

Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, as having been a Councillor over 11 years and a member of the Committee when the Campus had previously been discussed.

Councillor Gee declared a Local Non-Pecuniary Interest in Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft, as being Ward Member.

Councillor Goldson declared a Local Non-Pecuniary Interest in Item 5 - DC/21/0027/FUL - Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, as Chairman of the Halesworth Campus Project. He advised that he would take no part in the discussion or voting thereon.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, having been a member of the Waveney Planning Committee when the previous application was discussed. He further declared a Local Non Pecuniary Interest in Item 12 - DC/21/5114/FUL - 315 London Road South, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non-Pecuniary Interest in Item 5 - DC/21/0027/FUL - Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, and Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as being Deputy Leader and Cabinet Member responsible for Assets. He pointed out that the transfers took place before he was in post.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Ashdown declared that he had been lobbied on Item 7 - DC/21/4152/FUL - Land at Rectory Lane, Worlingham, and Item 10 - DC21/3789/FUL - 3 White Point, Southwold. He had made no response.

Councillor Brooks declare that he had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. He had made no response.

Councillor Coulam declare that she had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. She had made no response.

Councillor Gee declare that she had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. She had made no response.

Councillor Rivett declare that he had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. He had made no response.

Councillor Yule declared that Councillor Beavan had been lobbied on Item 8 - DC/21/4531/FUL - Hedgeley, Walberswick. He had forwarded it to her and she made no response.

4 Enforcement Action - Case Update

The Committee received report ES/0936 which summarised outstanding enforcement cases for East Suffolk Council sanctioned under delegated powers or through the Committee up to 17 December 2021. There were currently nine such cases.

There being no specific questions, it was

RESOLVED

That the report concerning Outstanding Enforcement matters up to 17 December 2021 be received and noted.

***Note:** At 2.15pm, Councillor Goldson left the meeting table and remained in the public gallery for Items 5 and 6. He would be speaking on the applications as Ward Member but took no part in the discussions or voting thereon.*

5 DC/21/0027/FUL - Halesworth Campus (former Middle School Site), Norwich Road, Halesworth

The Committee received a presentation on Items 5 and 6 DC/21/0027/FUL – 54 bed Care Home (full application) and 100 Extra Living Apartments (outline application) and DC/21/0007/FUL – Grass Sports Pitch and 3G Sports Pitch at Norwich Road / Harrison's Lane, Halesworth.

The Planning Development Manager advised that the two applications related to allocation WLP4.1 in the Local Plan. Whilst the presentation covered both items, each application would be debated separately.

The Principal Planner advised that the proposal for the Care Home and Extra Living Apartments tied in with the Local Plan and the aerial view showed the extent of the site with a red line, the blue line indicated the site for the Sports Provision and the location of the Apollo Youth Club and the two listed buildings Wissett House and Town Farmhouse were also identified. The yellow line showed the extent of WLP4.1 Halesworth/Holton Heath Neighbourhood which included the land for the residential development of 190 homes that had been agreed in 2019. Photographs showed the street scene, existing path along the southern boundary, views across the site, the Skills Centre and Apollo Youth Club, the location of the proposed 3G pitch, and further views along Loam Pit Lane. The slide of the master plan showed the two proposed accesses, layout of the buildings together with ground and first floor layouts off a central hub, an artist's impression of elevations and a mass/scale and landscape parameter plan.

The Principal Planner advised that the principle of the development was in accordance with WLP4.1 with the site being in a sustainable location with access to the town centre. He further explained that the specialist housing accommodation for the older population was C2 use class and would remain C2 in perpetuity. Highways and heritage considerations had been addressed and it was considered that the development could be accommodated on the site satisfactorily with no neighbour impact. Existing pedestrian routes would be improved and a new pedestrian link would be provided. A Section 106 Agreement would secure obligations as set out in paragraph 9.1 of the report. Health care considerations were necessary as the existing

doctors' surgery was at capacity and it was proposed that 94sqm of clinical floor area could be provided. Further discussions would take place with the CCG on primary health care expansion.

The proposal was an enabling development which would provide the sports pitch.

The Principal Planner advised that the application was recommended for approval subject to conditions as set out in the report.

In debating DC/21/0027/FUL, Members questioned the height of the proposed care home and compared to that of Excelsior House, the retention of the youth club, sufficient management of the extra planting to ensure minimal failures and what employment would be created as part of the scheme. The Principal Planner advised that the care home was two-storey only and there would be benefits from the proposed landscaping. The Planning Development Manager confirmed that the current application did not provide for the demolition of the youth club; that would form part of later phases. Questions relating to employment should be directed to the applicant.

The Chairman invited the public speakers to address the Committee.

As an objector, Ms C Chenery advised that she was Chairman of the Halesworth Town Junior Club and they did not agree with the loss of the green space for the care home. They had teams to develop and needed pitches for that purpose. The care home could be built anywhere but not on green space. The benefits to the football club outweighed the proposal and it would be detrimental to take away their pitches. The proposed pitches were to be marked out for rugby not football and there was no guarantee the junior club would get any pitches. There would be no grass for the children, fees would increase. She asked the Committee to note that the club did not agree with the development, neighbours had not been contacted and the application had not been open and honest.

In response to a Member's question on the rugby and football issues and if Sport England had been made aware, Ms Chenery advised that they had been made aware of the need for green space for juniors for months.

As Chairman of Halesworth Town Council's Planning, Cllr P Dutton advised that the area was not an urban venue; the site was a very rural open space with trees. The Town Council reflected the opinions and comments of residents that the application should be rejected for many reasons. It was not an urban setting, the height of the proposed buildings would shadow the nearby bungalows, and the buildings were far too big for the site. Based on information from 2017, older people should be treated in their own homes and the Neighbourhood Plan was coming into place. There was no need for extra care apartments as two care homes in the town already had vacancies. The local GPs would not be able to support the development. The development would cause surface water problems and the loss of grass space in Halesworth was a concern, as there were no other suitable areas for open space. Cllr Dutton, asked that the application be rejected for the reasons given.

Members asked questions relating to:

- Number of spaces in care homes.
- Whilst the site was using green space, better sports facilities would be available.
- Housing development in the Local Plan allocation would make the site urban.

Cllr Dutton advised that a small number of care home beds had been vacant for a long time; people preferred to be treated in their own home and it that was in accordance with national and CCG policy. Sports pitches were needed but the proposed 3G was not pleasant to play on particularly for small children. This grass space was important as Halesworth was built up and any other spaces were inappropriate. If the site was taken over by rugby, the juniors' team could end up folding and the youngsters would lose their exercise. Cllr Dutton stated that the site was a long way from the main road and could only be classed as sub-urban.

Mr S Humphrey, speaking for the applicant, thanked the officer for an excellent presentation and report. He advised that they were using an allocated site for their purpose and green space was being provided. It was important to cater for the older population. It should be noted that 26.6% of the population in Waveney was made up by the over 65s compared to 18% in England. This proposal was providing for their needs.

Members questioned:

- Employment being brought to the area
- Residents being within a five mile radius of the site with the nearest hospital being located in Gorleston
- Disabled access and lifts
- How residents would be treated with the local GP surgery being full
- What ground floor amenities would be provided and if any café would be available to members of the public

Mr S Kaushal, the applicant, confirmed that they would anticipate recruiting 80-100 people, both full-time and part-time, and offer flexible working time. They would be working with the CCG and establish links with local colleges to offer training and attract new talent into care jobs. Mr Kaushal advised that he was not a developer but a provider of social care and wished to provide a service fit for the future. Some people might wish to stay in their own homes if they received 24/7 care but that was not always possible. This proposal provided a community which would reduce loneliness. Everyone would have their own front door but be able to call on staff at any time and there would be lifts to all levels. They would not necessarily exclude anyone outside of the five mile radius. It was hoped to have the first resident on site during the summer of 2023 and prior to that they would be in contact with the local GP surgery, work on training staff and consider having a nurse practitioner based on the site. Space for socialising would be available on the ground floor and for amenities and restaurant/café and they would engage with their residents to see what they wanted. The C2 use would be registered with the CQC so they would not want to compromise the residents by fully opening facilities to the public.

Ward Member Councillor Goldson reminded the Committee that the hospital in the town had not been fit for modern nursing and was closed by the CCG. All parties

including the CCG, PCT, doctors and sports representatives had been involved and the proposal was what was needed in the town. Halesworth was furthest from any hospital in the county, some 26 miles to James Paget and Norwich Hospitals and 30 miles from Ipswich. Halesworth had an aging population with waiting lists to get into both existing homes and adult social care was required now with some people having to be moved out of the town. With this facility, it would provide for the frail and intermediate care and somewhere for people to go. The younger population were not staying in the town because there was little infrastructure with no trains or buses direct to Norwich. The care home intended to run a full training programme and the application should be supported as the facilities were well and truly needed.

In response to questions from the Committee, Councillor Goldson confirmed that he was content with the application even though no affordable homes were being provided. Social care would normally need to negotiate with care homes as they were all privately owned and when patients came out of hospital, this site would provide the necessary care. There should be no flooding as the site was on a hill and the Floods Authority believed the plans were sustainable.

The Planning Development Manager advised that the proposal was planning for the future to 2036 beyond the Local Plan providing an allocation for older living, highlighted by the age profiles of Saxmundham, Beccles and Halesworth.

Members noted the design and the provision of one bedroomed units and agreed there was a need for provision in the area. Whilst noting comments objecting to the application, it was agreed there was no reason not to accept the proposal and Members accepted that the residents would not necessarily want peace and quiet and might enjoy the use of the sports pitch. Following a proposal for approval, which was duly seconded, it was

RESOLVED

That authority to approve be granted, subject to the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Standard care package including minimum personal care requirements (primary residents of the assisted living units).
- A financial contribution towards primary healthcare expansion, the amount to be confirmed by Norfolk and Waveney CCG.
- Public Right of Way creation funding for a footpath link to Cutlers Hill Surgery
- Per extra living unit contribution to the Suffolk RAMS
- licence to Halesworth Campus to allow the site of apartment block A to continue being used for playing pitches for a minimum of 12 months.

If the S106 is not completed within 6 months, authority to refuse the application be granted.

Conditions:

1. The development hereby permitted through the full application 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. In respect of the outline planning permission hereby approved 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") and measures to minimise water and energy consumption 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.

3. The development subject of the outline planning permission hereby approved shall be begun within the time limits specified in Condition 4 and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

4. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

5. The submission of reserved matters applications pursuant to the outline application shall demonstrate substantial compliance with the Movement and Access Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1010); Mass and Scale Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1011); Landscape and Character Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1013); Landscape and Character Parameter Plan - Public Realm (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1014); Landscape and Character Parameter Plan - Semi-Private Spaces (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1015) and Use Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) contained within the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

Reason: In order to secure high-quality design it is essential to establish development parameters to guide future reserved matters application, in accordance with the design and objectives of Local Plan policy WLP8.29 (Design).

6. Pursuant to the Use Parameter plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) the submission of reserved matters applications shall demonstrate substantial

compliance with the Accommodation Schedule set down in Table 1 of the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

Reason: For the avoidance of doubt and to ensure the inclusion of communal facilities within reserved matters submissions.

7. Prior to the first operation of the care home the existing pedestrian / cycle footpath along the southern boundary of the site shall be increased to 3m wide up to the boundary of the adjacent Halesworth Campus site (application DC/21/0007/FUL) as shown on the Movement and Access Parameter Plan; in accordance with details previously agreed in writing by the local planning authority.

Reason: Connectivity between the site and the adjacent site is a critical element of Policy WLP4.1 Halesworth/Holton Healthy Neighbourhood. In order to ensure the delivery of this pedestrian connection the route must be improved at an early stage of the development.

8. The development shall be carried out generally in accordance with the Proposed Masterplans (Drwg. Nos. 9363-FM-ZZ-00-DR-A-1001-04 and 9363-FM-ZZ-00-DR-A-1000-08 received 16 August 2021.

Reason: To secure a properly planned development.

9. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans received on 19 January 2021 (unless stated otherwise), 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.

9363-FM-ZZ-00-DR-A-0110-01 - Existing Site Plan, received 16 August 2021;

9363-FM-CH-GF-DR-A-2000-P05 - Ground Floor Layout;

9363-FM-CH-01-DR-A-2001-P05 - First Floor Layout;

9363-FM-CH-02-DR-A-2002-P01 - Second Floor (Attic) Layout;

9363-FM-CH-RF-DR-A-2003-P01 - Roof Plan;

9363-FM-CH-ZZ-DR-A-1300-P01 - Sections - Sheet 1;

9363-FM-CH-ZZ-DR-A-1301-P01 - Sections - Sheet 2;

9363-FM-CH-ZZ-DR-A-1400-P02 - West and East Elevations;

9363-FM-CH-ZZ-DR-A-1401-P01 - Typical House Elevations;

9363-FM-CH-ZZ-DR-A-1402-P01 - South Elevations;

9363-FM-CH-ZZ-DR-A-1403-P01 - North Elevations;

9363-FM-CH-ZZ-DR-A-1404-P01 - Northern Courtyard Elevations;

HALSTRP-Nov20 Tree Retention and Protection Plan, received 5 January 2021

HALESRPA-Nov20 Root Protection Areas Plan, received 5 January 2021 and

JN1082-Dwg-0016D and JN1082-Dwg-0019B, received 15 December 2021

Reason: To secure a properly planned development.

10. The development shall be implemented in accordance with the site wide phasing plan Drwg. No. 9363-FM-ZZ-00-DR-A-1002-01 received.

Reason: To ensure that key elements of the approved development are delivered at the right time in the interests of securing a sustainable form of development.

11. Samples of all external facing and roofing materials of the care home shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved samples.

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

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

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

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

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

14. The grass playing field proposed under application DC/21/0007/FUL shall be implemented in full in accordance with the approved plans prior to any development of the extra living apartments hereby approved.

Reason: To ensure replacement playing field is provided in order to satisfy exception 4 of Sport England's playing fields policy and NPPF Para 99.

15. No development shall take place until a scheme for the installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of any buildings to which they relate.

Reason: In the interests of fire safety.

16. 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 Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

17. 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 15 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 Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

18. Prior to commencement of development of the care home and blocks A, B and D a noise assessment for each building should be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Reason: In the interests of amenity.

19. Prior to commencement of development of Blocks A, B and D a sound attenuation scheme including acoustic fencing, aimed at protecting the proposed residential properties from noise from the adjacent sports pitches and ventilation units at the nearby skills academy shall be submitted to the Local Planning Authority in writing. Only an approved scheme shall be implemented and retained thereafter.

Reason: In the interests of amenity.

20. Development of any building shall not commence until a Construction Method Statement for that building has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interest of local amenity and protection of the local environment during construction.

21. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EcIA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

23. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EcIA) (The Landscape Partnership, December 2020),

shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

24. If the Reserved Matters application for the Outline element of the development hereby approved is not within 2 years from the date of the planning consent, the approved ecological measures secured through Condition 20 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted as part of the relevant Reserved Matters application.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

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

- a) A desk study and site reconnaissance, including:
 - a detailed appraisal of the history of the site;
 - an inspection and assessment of current site conditions;
 - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;

- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

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

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

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

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

27. Prior to any occupation or use of the approved development the RMS approved under condition 2 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

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

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

29. 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. 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.

30. Prior to commencement of development full details of photo-voltaic panels and measures to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a sustainable form of development.

31. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in broad accordance with drawing nos. JN1082-Dwg-0016D & JN1082-Dwg-0019B. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.*

32. All internal footways and cycleways shall be laid out according to drawing no. 9363-FM-ZZ-00-DR-A-1000-08

Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site and meet NPPF and LTN 1/20.

33. The use shall not commence until the area(s) within the site shown on drawing no. 9363-FM-ZZ-00-DR-A-1000-08 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

34. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points 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: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.

35. Before any building is constructed above ground floor slab level details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

36. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

37. Outline:

1. 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. 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;
- c. 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;
- d. 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;
- e. 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;

f. 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.

g. 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-on-development-and-flood-risk/construction-surface-water-management-plan/>

38. 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-asset-register/>

39. Full:

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

40. 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.

41. 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-and-transport/flooding-and-drainage/flood-risk-asset-register/>

42. 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:-

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

Informatives:

1. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website:

<http://www.suffolk.gov.uk/archaeology/>

2. 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 must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

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.

3. 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.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

4. 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.

5. This permission is subject to the completion of a Section 106 legal agreement.

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 or email llpg@eastsuffolk.gov.uk

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

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

- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution

- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act

6 DC/21/0007/FUL - North Suffolk Skills Academy, Harrisons Lane, Halesworth

The Committee considered report ES/1006 which gave details of the application seeking consent for outdoor sports facilities on the former Halesworth Middle School site and agricultural land to the south. It comprised a new grass playing pitch and a new artificial 3G pitch, with associated parking, access, lighting, pedestrian/cycle routes and drainage, on 4.59 hectares of land to the south of Harrisons Lane, Halesworth.

Members noted that the site formed part of the allocation in the Local Plan for the Halesworth/Holton Healthy Neighbourhood, for a comprehensive redevelopment to provide housing, health care facilities, retirement community and indoor and outdoor sports facilities. The application was to be read alongside DC/21/0027/FUL also presented to Committee (Agenda Item 5) as the two applications were mutually dependent on each other.

With regard to application DC/21/0007/FUL, the presentation showed the site layout, car parking, the location of the proposed grass pitch and 3G pitch and how the land would be cut and filled to level the site. There was a statutory requirement to consult Sport England; no objection had been received as better quality pitches were being provided and there would be continuity of sports provision. The site could also be used by Southwold Rugby Club. A new widened access would be further east of the existing access which would be closed. The proposed 3G pitch included floodlighting and acoustic barriers subject to conditions. In addition to the cut and fill, overhead lines would need to be diverted if consent was granted.

The Principal Planner advised that the application was recommended for approval subject to conditions as set out in the report.

The Principal Planner outlined the material planning considerations and confirmed that Harrisons Lane would be slightly widened and parking on site was acceptable. Any leakage from the plastic artificial pitch could be mitigated by an edge board on the pitch and good maintenance. There should not be any significant run off which would cause issues. Sport England commented that 3G pitches provided year round use and good healthy physical activity and there was a shortfall of such pitches in east Suffolk. Rugby could be accommodated within the grass pitch proposals, providing full size pitch with lighting and it complied with their standards. Heritage England had submitted a statement which concluded that there would be no impact on the listed buildings and the Council's Conservation Officer agreed with that view. A community use agreement would need to be in place with pricing policy, hours of use, etc., so as to provide access by the local community; that would be secured by condition. Approval was being recommended subject to the completion of a section 106 Agreement.

In response to a Member's question relating to how the overhead cables being diverted, the Principal Planner advised that he understood the diversion would be underground.

The Chairman invited the public speakers to address the Committee.

As an objector, Ms A Bull, confirmed she was speaking on behalf of residents in the bungalows near to the proposed 3G pitch. The site was totally unsuitable; the building of the pitch would take up a huge area of agricultural land with hard surfacing which would increase the risk of flooding which already occurred. Extreme weather events already caused problems and there was no guarantee that ongoing maintenance of the site would occur. Any water would run onto land not in the ownership of the applicant. Thousands of tonnes of microplastic already polluted the environment and from here it would run into the sea. 3G pitches only lasted around 10 years and there was no means to recycle the pitches after that period of time. The open agricultural area with trees and hedges and great views was popular with the locals; this proposal would result in the loss of valuable green space and cause light pollution.

On behalf of the Town Council, Cllr P Dutton questioned the provision that was being proposed. Whilst the Campus project was welcomed by residents, a 2015 survey showed the demand was for indoor facilities. All the town was being offered was a 3G pitch which was for a few residents in Halesworth and the surrounding villages with no rugby club in the town to use the pitch. 34 residents had objected so had the Town Council. The 3G site was in a catchment area for surface water, a hard surface would increase flood risks and run-off into a ditch which discharged into a flood drain would exacerbate the flooding that already occurred. The application did not meet the needs of residents; it should be rejected and be replaced with a programme that would be supported by residents.

On behalf of the applicant, Ms J Moseley advised that the Campus Charity has been working since 2010 to get to this stage and all consultations had showed that the community needed pitches as well as indoor facilities. The Councils had been working

together to provide facilities and the 2015 Town Plan had highlighted the need in the town. The Healthy Neighbourhood was supported by this part of the wider vision for a community café and walks contributing towards healthy living. There would be new cycle tracks and footpaths connecting the site to the town. The Charity's business plan and fund raising strategy were ready to go and she was of the opinion that this would meet people's needs. Ms Moseley hoped the Committee would approve the application, then the Campus would be looking at the provision of a pool.

Members questioned:

- Facilities for younger children and, for example, TrimTrail.
- If the site would belong to a club or if the community would be able to use the facilities.
- Retention of the temporary grass pitch near the skills centre.

Ms Moseley confirmed that facilities for children would be near to the community café, both of which would be the subject of a future application. They might include gym equipment, sculptures and seating. In support, Mr Gallagher confirmed that the site would be operated under a pay and play arrangement, particularly during school holidays and after school too. It would be a secure environment with turnstiles. Ms Moseley advised that they hoped to retain the temporary pitch; however, it was down for houses to be built on the land and that would bring in a capital receipt for supporting their future plans.

As Ward Member, Councillor Goldson confirmed the need to take a strategic view and this was the first phase of the project, with phases 2 and 3 to follow. 3G was necessary and would be used all year round. Phase 2 was the fitness gym and would bring in revenue as the Campus was not making profit. Both the gym and sports hall were needed for the area and TrimTrail was important as it had not been possible for the park run to take place due to cattle being in the fields. The proposal would also bring employment to the town. Councillor Goldson advised that the application was the start of a wide ambition which would be accessible to all and it had his full support.

Members raised question relating to the flooding that had previously been mentioned and the provision of changing facilities. Councillor Goldson advised that the Flood Authority had looked at Loam Pit Lane and they said it was acceptable. Changing facilities were part of the long term plans and, in the interim period, the fitness suite would provide those facilities.

The Planning Development Manager advised that they had been engaging with Sports England, the FA and RFU and the facilities would not only be available for the town but they would serve the wider area including Southwold Rugby Club.

The Committee agreed the proposal was a good scheme particularly as the area was desperate for good all-round sports facilities and commented on the fact that community access needed to be put in place. Members noted the differing views on flooding and the assurances given by the Floods Authority, and agreed that a Section 106 Agreement needed to be signed within six months. There being no further debate, it was

RESOLVED

That authority to approve be granted, subject to the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Footpath link to Cutlers Hill Surgery
- licence to allow the site of apartment block A (subject to application DC/21/0027/FUL) to continue being used for playing pitches for a minimum of 12 months.

If the S106 is not completed within 6 months, authority to refuse the application be granted.

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 Drwg. No. 169 03 T received 20 August 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. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

4. All internal footways and cycleways shall be laid out according to drawing no. 169 03 Rev.T.

Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site.

5. Before first use of the site, details of the pedestrian and cycle links to the adjacent development site should be submitted and approved by the local authority.

Reason: To allow for the site to be accessed by pedestrians and cycles in a safe manner and to promote sustainable transport methods.

6. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 169 03 Rev. T. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.*

7. The use shall not commence until the area(s) within the site shown on drawing no. 169 03 Rev. T for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

8. Before [the development is commenced / any building is constructed above ground floor slab level] details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019. This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

11. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020), shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

12. The locations and specifications of acoustic fencing to the 3G pitch and any perimeter fencing, shall be submitted to and approved in writing by the local planning authority. The acoustic fencing and any perimeter fencing shall be installed in accordance with the approved details prior to the first use of the 3G pitch and shall be retained thereafter.

Reason: In the interests of amenity.

13. There shall be no use of the Grass Rugby pitch after 21.00hrs and no use of the 3G Pitch after 22.00Hrs.

Reason: In the interests of amenity.

14. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise and dust will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

- a) Good practice procedures as set out in BS5228:2014,

- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

15. No development shall commence until details of the design and layout of the 3G pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The facility shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

16. Use of the 3G pitch shall not commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

17. No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the grass playing field which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(a) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

18. Prior to commencement of development a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G pitch and retained grass pitch and include details of pricing policy, hours of use, access by local clubs and informal use, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

19. Prior to commencement of development, the applicant shall submit a construction and phasing plan, which sets out a timetable for the construction and implementation of the sports facilities to be provided on this site.

Reason: To ensure that the facilities are provided within a reasonable timescale, and to ensure that existing users retain access to the facilities.

20. Prior to installation full details of floodlighting for the pitches shall be submitted to and approved in writing by the local planning authority. The floodlighting shall be installed in accordance with the approved details. Floodlights shall be switched off as soon as is reasonably practical following the cessation of use and at the latest no longer than 30 minutes after the permitted hours of use in Condition 13.

Reason: In the interests of amenity.

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

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

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

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

23. 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

24. 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.

25. 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-and-transport/flooding-and-drainage/flood-risk-asset-register/>

26. 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:-

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

Informatives:

1. 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.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

2. Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Informative (artificial grass pitches – rugby only). The applicant is advised that the pitch should be built in accordance with RFU guidance note 7: Artificial Rugby Turf and tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.

Informative (artificial grass pitches – football only). The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

Informative (artificial grass pitches football only) – The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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

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

Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution

Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act

Any works to a main river may require an environmental permit.

Note: *At 4.27pm, Councillor Brooks left the meeting table and remained in the public gallery for Item 7. He was available to answer questions but took no part in the discussions or voting thereon.*

At the same time, Councillor Goldson rejoined the meeting.

7 DC/21/4154/FUL - Land at Rectory Lane, Worlingham

The Committee considered report ES/1007 giving details of an application seeking planning permission for the construction of 19 dwellings, a new community centre with associated parking and two new access roads off Rectory Lane on land that was formerly occupied by Worlingham Primary School.

Members received a presentation showing the site location plan and aerial view, photographs across the site and street scene, together with a proposed site layout plan providing 2, 3 and 4 bedroomed dwellings. The perspective view and cross sections through the site showed the gap between existing and proposed properties either side of Rectory Lane and gave an indication of any impact on existing properties due to the difference in height of the land. Any potential loss of privacy was considered to be acceptable.

Examples of the style of properties and the community centre elevations and floor plan were also displayed. The design and proposed finish of the dwellings were considered suitable and in terms of internal layout the requirement of policy WLP8.31 Lifetime Design would be required by condition at 40% in accordance with M4(2) of the Building Regulations.

The Senior Planner outlined the principle of the development and although policy WLP8.2 proposed a 30% affordable housing contribution, a viability assessment had been provided and assessed and it had been accepted that the development was not viable if the affordable housing had to be provided.

Whilst the site was adjacent to the Grade II* listed Church of All Saints, Historic England had not commented but had advised to seek the views of The Council's specialist conservation and archaeological advisers. The impact on the setting of the Listed Building was considered to be acceptable due to the substantial changes that had previously taken place, the limited intervisibility between the site and the Church and that this proposal was similar to that previously approved.

The Senior Planner explained that the Community Centre would provide Worlingham Church and the community with an opportunity to replace facilities lost when the church hall closed and interest had already been expressed in using the Centre. Noise mitigation measures would be in place through the provision of a Noise Management Plan and future occupiers of the proposed dwellings would be well aware, when purchasing a property on the development, that they would be living in close proximity to a community centre.

In response to comments received relating to highway safety matters, it was confirmed that a wider footway was to be provided in place of the existing layby. The site was in Flood Zone 1, low flood risk. However, in terms of surface water drainage it had been demonstrated through the Flood Risk Assessment that infiltration was feasible, and attenuation would not be required. Further details of the drainage strategy would be required by condition.

The Ecology Report accompanying the application confirmed that a replacement area would be required for slow worm habitats. of which further discussions were ongoing and final details would be required by condition. A Sustainability Statement would be required by condition and a RAMS contribution would be secured with a Unilateral Undertaking. The community facility was the driving force for the development and approval was being recommended with appropriate conditions.

In response to Members' questions, the Planning Development Manager advised that the previous permission approved in 2015 had been invalidated due to the County Council demolishing the old school building ahead of discharging conditions. The use of the school grounds had been in the pipeline for a number of years and had been identified in the previous Local Plan. The increased density from 15 to 19 dwellings made the overall scheme viable.

The Chairman invited the public speakers to address the Committee.

On behalf of the Parish Council, Chairman Cllr W Summerfield advised that Worlingham was the largest village in the county without a meeting room. In 2012, the site became available, community engagement started at that time, and a charitable organisation had been set up. The application before Members was an enabling development and the housing being built would pay for the community centre. The last two years had shown the importance of community engagement and the need for a local venue had been highlighted to combat isolation and provide a place for people to visit and use for events. Cllr Summerfield asked the Committee to approve the application which would provide a benefit for the whole community.

Mr J Coote, Director of Badgers Builders, the Applicant, outlined the number of years of hard work that had been undertaken by Badgers, Worlingham Parish Council, the

County Council and East Suffolk Council. If the application was granted, the development would provide benefit for all; new homes to live in and a community facility for the village to use. The development was also bringing into use a brownfield site and Stephen George, before he passed away, and his family were committed to see the proposal delivered.

In response to questions relating to the Community Centre being provided with charging points and solar panels, Councillor Brooks confirmed that if planning permission was granted, the Community Trust would be looking into the provision of such items. With regard to the use of the car park, Councillor Brooks confirmed that there were plans in the pipeline to install CCTV and gates allowing access to the car park for the hall users only.

Members supported the proposal and welcomed the use of an old site with a good development. It was unanimously

RESOLVED

That authority to approve be granted, subject to the following conditions and the completion of a Unilateral Undertaking for the provision of RAMS payment and any final improvements in respect of noise management and mitigation (including additional/adapted 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 following plans:

2015 SL01 Rev J - Site Layout Plan: Received 16 December 2021

2015 G01 Rev A - Garage Types Sheet 1/2: Received 10 November 2021

2015 G02 - Garage types Sheet 2/2: Received 10 November 2021

2015 PL01 Rev A - Brundall House Type BR1 - Plans and elevations: Received 10 November 2021

2015 PL05 Rev A - Carbrooke House Type CR1- Plans and elevations: Received 10 November 2021

2015 PL12 Rev A - Starston House type (Terrace) - Plans and elevations: Received 10 November 2021

2015 SS01 Rev A Proposed site sections: Received 10 November 2021

2571-21 Rev 1 - Soft Landscaping - Planting: Received 10 November 2021

2015 PL13 Rev A - Community Centre plans and elevations: Received 10 November 2021

2015 SE01 Proposed steetscene elevation: Received 10 November 2021

Landscape Specification and Management Plan Rev 1 (08.11.21): Received 10 November 2021

2015 PERS 01 - Perspective view: Received 28 October 2021

2015 PL02 - Blythburgh House Type BL1 - Plans and elevations: Received 03 September 2021

2015 PL03 - Wrentham House Type WR1 - Plans and elevations: Received 03 September 2021

2015 PL04 - Wrentham House Type WR2 - Plans and elevations: Received 03 September 2021

2015 PL06 - Helmingham House Type HE1 - Plans and elevations: Received 03 September 2021

2015 PL07 - Helmingham House Type HE2 - Plans and elevations: Received 03 September 2021

2015 PL08 - Yoxford House Type YX1 - Plans and elevations: Received 03 September 2021

2015 PL09 - Hulver House Type HL1 - Plans and elevations: Received 03 September 2021

2015 PL10 - Hulver House Type HL2 - Plans and elevations: Received 03 September 2021

2015 PL11 - Hulver House Type HL3 - Plans and elevations: Received 03 September 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. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. 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

5. 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.

6. 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-and-transport/flooding-and-drainage/flood-risk-asset-register/>

7. 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: -

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

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

a) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;

- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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

9. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA.

The RMS must include, but is not limited to:

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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

10. Prior to occupation of any dwelling or use of the Community Facility, the RMS approved under condition 9, to the extent that it relates to that dwelling or the Community Facility, must be complete for that area of the site. The LPA must be given two weeks written notification prior to the commencement of any remediation works.

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

11. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development.

The validation report must include, but is not limited to:

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

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

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

No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority.

The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

13. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Report (Norfolk Wildlife Services, March 2021) as submitted with the

planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

15. No external lighting shall be installed unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

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

16. No development shall take place (including any demolition, ground works, site clearance) until a Reptile Mitigation Strategy (including details of translocation proposals) has been submitted to and approved in writing by the local planning authority. The content of the Strategy shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

17. Prior to any works above slab level, an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

18. 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 Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

19. 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 18 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 Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

20. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

21. Prior to first use of the community centre a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Noise Management Plan.

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

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

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

23. The approved landscaping scheme shown on drawing number 2571-21 Rev 1 shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

24. Prior to the commencement of the development details shall be submitted to the Local Planning Authority for approval demonstrating that 40%/8 units are designed to meet the requirements of 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.

Reason: In accordance with the lifetime design objectives of policy WLP8.31 of the East Suffolk (Waveney) Local Plan.

25. Prior to the commencement of the development a Sustainable Construction Statement shall be submitted to and agreed in writing by the Local planning Authority that demonstrates that where practical the following have been incorporated into the development:

- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
- Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
- Locally sourced and recycled materials.
- Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
- Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.
- All new residential development in the district should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so.

Reason: in accordance with the objectives of the Sustainable Construction of policy WLP8.328 of the East Suffolk (Waveney) Local Plan and the Draft Sustainable Construction SPD.

26. Prior to commencement of development details of the infrastructure to be provided for electric vehicle charging points for the residential properties and the community centre 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 development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking (2019) and paragraph 110 of the National Planning Policy Framework.

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

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time.

28. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. 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.

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

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.

30. 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.

Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public.

31. The new estate road junction(s) as shown on Drawing No SL01 Rev H inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any other materials i.e., not for the purpose of constructing the new estate road/junctions

Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence.

32. The use shall not commence until the area(s) within the site shown on drawing no. SL01 Rev H for the purposes of loading, unloading, manoeuvring and parking of vehicles have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or

loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

33. Before occupation, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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 promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

34. The cycle storage for the residential properties as shown on drawing no. SL01 Rev H shall be provided for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

35. The garage/parking spaces for each dwelling shall be made available for use prior to the occupation of the dwelling and shall thereafter be retained for these purposes. The internal garage dimensions should be to SCC current Parking Guidance (at time of writing SPG 2019) which should be 3m x 6m (or 7m) between the piers, not walls.

Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with the adopted parking standards (Suffolk Guidance for Parking 2019) where on-street parking and or manoeuvring would be detrimental to the safe use of the highway and in the interests of good design, as on-street parking for the third vehicle spaces required for four or more bedroomed dwellings has not been designed into the street.

36. Before the access is first used visibility splays shall be provided as shown on Drawing No. SL01 Rev H and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public

highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

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 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 or email llpg@eastsuffolk.gov.uk

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

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

- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution

- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act

- Any works to a main river may require an environmental permit.

4. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.

SCC Archaeological Services would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

The archaeological evaluation will inform on the strategy for the removal of the former school building foundations and surfaces.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology>

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 must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

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. 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.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

7. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets.

For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers' plant may render the land unadoptable by SCC Highways for example flogas and LPG.

8. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria.

It is recommended that the applicant refers to the current adoption criteria:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>

9. Suffolk Police strongly recommend that the community centre is built in accordance with Secured by Design Commercial 2015 V2.

In accordance with the Constitution, as the meeting had been in session for three hours, the Chairman asked the Committee if they wished to continue or adjourn the meeting. It was proposed, seconded and

RESOLVED

That the meeting continue over three hour's duration.

Note: Councillors Gee and Yule left the meeting at 4.55pm and Councillor Brooks rejoined the meeting.

Having just reached three hours duration and in order to allow for a comfort break, the meeting was adjourned at 4.55pm and reconvened at 5.08pm.

9 DC/21/4531/FUL - Hedgeley, The Green, Walberswick

The Committee considered report ES/1008 which set out details of the planning application requesting permission to renovate and extend the current dwelling which would include a two-storey side extension, single storey side and rear extension and balcony and pergola to the south at Hedgeley in Walberswick.

The application had been referred to Committee as the officer recommendation to approve was contrary to the recommendation of the Parish Council and Ward Member.

Members received a presentation showing an aerial view and site location, photographs of the existing dwelling showing some unsympathetic alterations and street scene, existing and proposed floor plans and elevations.

The Planner advised that the proposed black cladding was considered acceptable as it would be similar to other buildings in the area. Whilst the proposed balcony might partially overlook the neighbour to the south, it was felt this would be no more than from the existing large window. The block plan showed proposed parking arrangements; the widening of the frontage and proposal to lay gravel were permitted development. He reported that the Bas Relief was likely to be a later addition and not an original feature and this could be repositioned, sold or donated by the property owner.

In addressing the material planning considerations and key issues, the Planner explained that the majority of the extension would be located at the rear of the property and should not cause issues with visual amenity. It was considered that there would be minimal loss of privacy and there was no planning control over the proposed parking as porous material was to be used. Approval was being recommended subject to conditions as outline in the report.

The Chairman invited the speakers to address the Committee.

On behalf of the Parish Council, Mr A Lewis advised that they considered it to be a change of use from two apartments with two entrances to a very large home and secondly, the balcony clearly overlooked the neighbours spoiling their amenity. The proposed car parking in the front was out of keeping and would result in the removal of trees and shrubs over which the Council would have control. According to the Historical Society, the Bas Relief had been in place a long time and a use needed to be found before it was removed. Finally, properties were expensive in the village and due to this conversion into a large 5-bedroomed home and others similarly converted and/or turned into holiday lets, more dwellings were no longer affordable or available for local people to buy.

As applicant, Ms K Maxwell explained that they had bought the property in October 2020 and age wise they were close to retirement and planned to live there permanently. The dwelling had suffered due to past extensions and the environmental sustainability needed improving. They intended to create a home in a beautiful setting to be used and loved by family and friends and become part of village life. The proposed timber sash windows in the front would enhance the area and rebuilding at the rear would be well screened from the road. The small balcony would no more overlook the neighbour than existing windows and they were adding to the screening with shrubs. The black weather boarding would form part of the village scene as it existed elsewhere.

Ward Member Councillor Beavan advised that this was not the worst example in Walberswick and the Parish Council needed to have their say. The overlooking from the balcony did matter because it was far easier to overlook from a balcony than from the inside of a property through the window. Perhaps the applicant could provide some form of shielding because views from standing on a balcony were different to being inside and looking out of a window. Whilst understanding that there was no real reason for refusal, Councillor Beavan asked that the applicant provide screening for the neighbours.

The Chairman asked for clarification on the planting and Ms Maxwell confirmed they were keen gardeners and would be putting in additional shrubs and fruit trees.

Members knew the area well and it was thought that there was little in the proposed works that would have an adverse effect on the village. On a proposal to approve the application, which was duly seconded, it was

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 6276-PL01, PL02 received 30/11/2021, 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.

10 DC/21/4295/FUL - 3 Trinity Street, Bungay

The Committee considered report ES/1009 which set out details of the change of use from offices B1 to residential C3 at 3 Trinity Street, Bungay, and included the removal of a commercial advertising sign from the frontage. The application was before Committee in order that the objection from Suffolk County Council Highway's Authority could be discussed in detail.

Members received a presentation showing the site location plan, street scene, front and rear elevations of the property, double yellow lines outside along with a loading bay on the opposite side of the street. Access to the rear of the property was at the side with a right of access over the garden of No.1. The property was Grade II listed and located in the Conservation Area. The proposed floor plans showed that the property would be converted into a family dwelling; the removal of an internal wall would be subject to Listed Building Consent.

The Senior Planner outlined the material planning considerations and key issues and explained that there was no objection to the change of use. The property had previously been residential and changed to business use in the 1980s. The County Highways objection related to the lack of off-street parking provision. However, it was considered that any future purchaser would be aware of the lack of parking and the limitations of using the areas available for loading and unloading. Due to the Listed status of the property, there were limited uses for the building and given that historically it had been laid out as a residential dwelling, approval was being recommended. The proposal would provide a long-term viable use which would safeguard the building as a heritage asset.

Members noted that the County Council had themselves put the parking restrictions in place and that there had been no parking for the property when it had been used on a

commercial basis. It was agreed that the property should be a residential dwelling and it was

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 20-001, 20-004 and 20-005 received 14 September 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. Prior to the commencement of the development details of the areas to be provided for secure, covered and lit cycle storage including electric assisted cycles 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 promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

4. Prior to the commencement of the development details of the areas to be provided for the storage and presentation of refuse and 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 and used for no other purpose.

Reason: To ensure that adequate facilities for storage are provided in the interest of highway safety.

11 DC/21/3789/FUL - 3 White Point, Eversley Road, Southwold

The Committee considered report ES/1010 which gave details of the application seeking planning permission for the development of a glazed roof pavilion at 3 White Point, Southwold. The site benefitted from planning permission for a glazed room pavilion under DS/18/2428/FUL but the structure, as built, differed from the approved scheme. Therefore, the application now before the Committee sought retrospective permission for that amended design.

Members received a presentation showing the site location plan, photographs of the site, street scene and from the built pavilion, together with drawings of the approved scheme and new scheme. Whilst the design differed, the area of the pavilion was slightly smaller than the original and included a glazed link to the existing staircase access.

The Principal Planner advised that, whilst the property was located in the Conservation Area, it was not listed but made a positive contribution to the area. The existing roof terrace has been allowed in 2014 and the 2018 scheme had been approved on appeal. The Principal Planner compared the approved scheme to the proposal now under consideration and highlighted the main differences. The pavilion was an enclosed, watertight structure with power supply and could be used for purposes incidental to the enjoyment of the dwelling. In addressing the material considerations and key issues, it was considered that the amenity impact from the development was acceptable causing little harm and overlooking was no worse than the existing roof terrace. Concerns had been expressed over the electricity supply but Members noted that there was no reasonable planning position to prevent power supply to any outbuilding or extension to a residential dwelling. It was accepted that when illuminated internally during dark hours, it would make the pavilion more visible; however, the dwelling was located in a suburban area and nearly all buildings in the vicinity would have rooms lit during darker hours.

The Principal Planner reported additional comments received from the Town Council as they had been unable to attend the meeting in person to speak on the item.

The Principal Planner reminded Members that the approved scheme was a key material consideration in the determination of the application before them. Should the Committee be minded to refuse the application, the Council would be limited to requiring the applicant to revert back to the approved scheme and there would not be an enforcement position of preventing any pavilion structure on the roof terrace. The failure to discharge pre-commencement condition attached to the approved scheme was unfortunate but that could not be considered when determining this application on its merit. Having considered and addressed local concerns, there were no material reasons not to grant planning permission as outlined in the report, with condition 1 amended in accordance with the update sheet.

In response to a question relating to the structure being described as a pavilion, the Principal Planner advised that the name had been chosen by the Applicant. In his opinion, it was best described as a garden room or outbuilding.

The Chairman invited the public speakers to address the Committee.

Speaking as an objector, Mr R Moran explained that the application should not be granted because of the substantial increase in size and why had eight power sockets been put in. It would end up being an excellent party room for a holiday home. There was an error in the Council's document on page 164 and the diagram of the new building was completely different. Thirdly, there were missing documents from the applicant and misinformation by the applicant including the conditions not being met on the application approved by the Inspector. The previous application had not

featured power supply, that now made it residential accommodation and there had been an increase in the height of the roof. The conversion of the British Legion building to residential was on the condition that there would be no increase in the height of the roof providing an additional floor of residential accommodation. The previous application had not featured power supply. All local societies and the Town Council were of the opinion that it was an ultra modern box out of keeping in the town and the Conservation Area.

Members discussed the power supply and noted that there was no condition requiring no power supply; it would be no different to a garden shed. Power supply was a Building Control, not planning, matter and Fire Regulations would prevent anyone sleeping in the pavilion. The Principal Planner confirmed that the pavilion was slightly smaller in footprint but higher at eaves level than the 2018 approved scheme.

As Agent, Mr R Bull explained that the building had changed slightly from the original application following advice from a building surveyor. The external aluminium had to change and the building had been slightly reduced in size to ensure the pavilion was appropriately fixed. It had been necessary to make the building watertight and the Covid pandemic had affected agreeing details with the Planners and obtaining construction materials. It should be noted that the built roof structure had a thinner appearance from a distance.

The Chairman sought clarification as to what lighting was being proposed if the pavilion was to be used as a garden room in the evenings.

Mr Bull advised that no significant lighting would be put in; low level skirting lighting was to be installed. The powerpoints would be used for radios and small devices. The Building Inspector confirmed it was acceptable for a garden room to have power and it was not classed as accommodation due to the fact that there was no insulation.

Ward Member Councillor Beavan advised that he had been consulted. The structure was refused by Waveney District Council in 2014 and only won on appeal. The site was in a prominent position and it was disappointing that the applicant had not used the pre-application process to discuss their proposal with the Planners. Now it was meant to be for stargazing. The Inspector said that the structure was no different to a roof terrace but he disagreed as it looked straight into the neighbours and they would have to shut their curtains. It was another conflict between a holiday home owner and residents. Lights would not be required if the pavilion was to be used for stargazing and some overlooking could be mitigated by obscure glazing. It could be used as another bedroom and if so, who would be monitoring it? It should not have been allowed; an applicant with deep pockets who kept on submitting applications until he got what he wanted.

Members sought clarification if some obscure glazing could be requested by way of condition and what were the Council's powers of enforcement. The Planning Development Manager advised that the extant permission was the fallback position and the Inspector had not deemed it necessary for obscure glazing or lighting restrictions. The proposal was as built and that was always the difficulty with retrospective applications.

Members were of the opinion that the structure should not be there and lighting at night could make the pavilion appear like a lighthouse. The Committee noted that there was little option but to approve as that decision had been made by the Inspector. It was therefore

RESOLVED

That permission be granted, subject to the following condition:

1. The development shall be carried out in accordance with the following plans/drawings: 'NORTH EAST ELEVATION Drawing No. 03, WEST ELEVATION Drawing No. 04, 'Roof Plan' (1:20) and 'Floor Plan' (1:20), received 06 January 2022; and 'Eaves Details', 'Roof Details' and 'Fabrication Details', received 09 August 2021.

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

Note: Councillor McCallum left the meeting at 5.58pm during discussions on this item and before the vote.

12 DC/21/4575/FUL - 114 Clarkson Road, Lowestoft

The Committee considered report ES/1011 which set out details of the planning application for a two-storey extension with setback, conversion of garage and an increase to the parking area at the front of 114 Clarkson Road, Lowestoft. The application was before the Committee as the applicant was an employee of the Council.

Members received a presentation showing the site location, aerial view, existing and proposed block plans, elevations and floor plans, together with photographs of the street scene which showed the parking intended to be discreet at sides of properties. The proposed extension would result in a 0.7m gap between the host dwelling and neighbouring property.

The Assistant Planner outlined the material planning considerations and key issues including the spacing and relationship to the neighbouring dwelling, the impact upon the character of the street scene, change in uniformity and regular street pattern, and the effect on neighbour amenity at the rear. Whilst the Parish Council supported the proposal, it was considered that the application should be refused on design and amenity grounds.

The Chairman invited the agent to speak and photographic comparisons submitted by the agent were shared with the Committee.

The Applicant's Agent, Mr I Garrett, advised that his client had submitted the application to improve their home as their budget would not allow them to move house but stay in the same area. They wanted to increase their living space and had taken inspiration from similar schemes. They had taken into account neighbouring properties and all work would be carried out with care and to high standards. Looking at the photographs of similar examples which had been shared, he considered that the design would provide no harm to the neighbours.

Members noted the officer's recommendation for refusal and sought clarification as to why further discussions had not taken place to make the proposal acceptable. Mr Garrett advised that the proposal was to ensure that the dwelling retained amenity space to the rear and if the extension was pushed to the rear, it would reduce that amenity space for the family. In his opinion, there was no demonstrable harm to the neighbours with the proposed extension.

During debate, Members acknowledged the detrimental effect on the street scene and expressed deep concern of the proximity to the neighbouring dwelling with the gap reducing from 3.3m to 0.7m. It was disappointing that the Agent had not been able to negotiate something that would be acceptable. The Committee supported the officer's recommendation and it was

RESOLVED

That the application for planning permission be refused on grounds of design and amenity impact.

The reason for the decision to refuse permission is:

The proposed two storey side extension would result in a cramped and discordant feature in the streetscape, by virtue of its design, siting, scale, height and massing, which would not respond to the local site context in a sympathetic manner, causing harm to the spatial layout along this part of Clarkson Road and resulting in a car dominated frontage. The combined length and increased height of the proposed single storey rear element on the boundary would adversely impact upon the neighbour's amenity by its dominating impact and increased shading. Both aspects contravene policy WLP8.29 of the East Suffolk Waveney Local Plan, adopted 2019.

13 DC/21/5114/FUL - 315 London Road South, Lowestoft

The Committee considered report ES/1012 which gave details of the planning application for the change of front windows and door at 315 London Road South, Lowestoft. The application was before the Committee as the applicant was an employee of the Council.

The Assistant Planner advised that the application proposed to replace the non-original front windows and door at an unlisted property in the Conservation Area. The proposals were judged to be compliant with policy guidance and would preserve the Conservation Area.

Members receive a presentation showing the site location plan and area, photographs of the property and street scene, proposed elevation and window specification. The Town Council had no objection.

The Assistant Planner confirmed that the proposed changes to the front fenestration accorded with the objectives of WLP8.39 and the Historic Environment SPD. The works

would preserve the character and appearance of the property and approval was being recommended.

Members supported the proposal and it was

RESOLVED

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

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

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

- 2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan, Window spec details and Elevation A921 received 15th and 19th November 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.

The meeting concluded at 6.35pm.

.....
Chairman

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

8 February 2022

Report Author and Tel No

**Mia Glass
01502 523081**

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 20 January 2022. At present there are 9 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 17 December 2021 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non- 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months 11/07/2014 – Final compliance date 05/09/2014 – Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	July 2023

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • Due to the receipt of confidential information formal action has been placed on hold. • 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					present to pursue. Review in two years.	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) 	28/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 01/10/2018 – PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. • 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 • 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. • Legal action being considered. • Case to be heard at Court on 15/10/2021 • Court Case adjourned until 12/11/2021 • Court case adjourned for trial on 24/01/2022 • Court case adjourned until 01/02/2022 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> 16/11/2017 – Authorisation given to serve EN. 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period Appeal submitted. Awaiting Start date Appeal started, final comments due by 08/02/2019. Waiting for decision from Planning Inspectorate. 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <ul style="list-style-type: none"> • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. • Further visit to be done on 25/03/2021. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Site visit completed, Notices not complied with, file passed to Legal services for further action. 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> Initial complaint logged by parish on 22/09/2015 Case was reopened following further information on the 08/12/2016/ Retrospective app received 01/03/2017. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. Notice sever by recorded delivery 05/09/2018. Appeal has been submitted. Awaiting Start date. 	28/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. • Court hearing in relation to structures and fencing/gates 03/03/2021 • Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed • Site visited on 13/08/21 all structures removed from the site. 	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 	28/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council • Compliance with Notice by 18/08/2021 • Extension of time granted for compliance until 31/10/21. • Further extension granted until 15/11/2021. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered. 	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> Enforcement Notice served 10/12/2019 Awaiting site visit to check on compliance Site visit undertaken, summer house still in situ. Further action to be considered. Property has now changed hands. Contact with new owner to be established. Officers are now in contact with the new owners and are discussing a way forward. Six weeks given for summerhouse, decking and steps to be removed. New planning application has been submitted. Case on hold until determined. Planning permission has been granted for retention of the 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>decking element. Removal of summerhouse and steps have been conditioned.</p> <ul style="list-style-type: none"> • Summerhouse to be removed by 10th June 2021 • Site visit to be undertaken. • 16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal. 	
ENF/2019/0307 /COND	21/10/2021	North	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon	Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	<ul style="list-style-type: none"> • 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. • Appeal submitted. Waiting for start date from the Planning Inspectorate. • Appeal notice received. Statement due to Planning Inspectorate by 21/01/2022. 	25/02/2022 and 25/04/2022

Committee Report

Planning Committee North – 8 February 2021

Application no DC/21/2679/FUL

Location

Land to the North of
Chapel Road
Wrentham
Beccles
Suffolk

Expiry date 31 August 2021

Application type Full Application

Applicant Cripps Developments Ltd

Parish Wrentham

Proposal Development of 65 dwellings, both one and two storey, including landscaped open space, recreation space and equipped play area for public use, highways and other infrastructure

Case Officer Danielle Miller
07799 071744
Danielle.miller@eastsuffolk.gov.uk

1. Summary

- 1.1. The application seeks full planning permission for the development of 65 dwellings, both one and two storey properties, including landscaped open space, recreation space which includes an equipped play area for public use, fully integrated SUDs and other associated infrastructure.
- 1.2. The application site is 4.82 hectares and located at the northwest periphery of Wrentham. The site has been continuously used for agriculture and can be accessed from Chapel Road. The site is located outside but close to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. It is located outside but close to Wrentham's Conservation Area and there are a number of listed buildings located in close proximity to the site.
- 1.3. This is an allocated site within the Waveney Local Plan policy WLP7.8 for the residential development of approximately 60 dwellings and open space.

- 1.4. The proposed development is supported by officers as a sustainable form of development in accordance with the Development Plan, along with the updated NPPF. The development is fully within the confines of allocation WLP7.8 and the development as proposed has met the criteria noted within that policy and other specific policies within the Local Plan.
- 1.5. The council have undertaken a Habitats Regulations Assessment (HRA – Stage 2 Appropriate Assessment) and consulted Natural England (NE) who consider that the proposed development will not have significant adverse impacts on designated habitat sites, subject to appropriate mitigation being secured, and therefore raise no objections to the development proposal. Other statutory consultees have not objected to the application including SCC Highways Authority and the Local Lead Flood Authority (LLFA). The Parish Council have maintained their objection relating mainly to the highway implications of the proposed number of additional dwellings.

Reason for Committee

- 1.6 The application comes before the Planning Committee as the Parish Council have raised objections to the proposal, their full comments can be seen in the consultation section of this report and have been revised following revisions to the overall scheme, furthermore the application is a major housing development on an allocated site and thus warrants consideration by the Planning Committee. In accordance with the scheme of delegation, the Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee, due to its scale, allocated status and the public interest in the proposal.

Recommendation

- 1.6. The application is recommended for AUTHORITY TO APPROVE subject to the signing of a section 106 legal agreement to secure necessary planning obligations; along with the required planning conditions summarised in the recommendation section of the report.
- 1.7. Alternatively, in the event of failure to complete the S106 within six months from the date of this Committee meeting, delegate AUTHORITY TO REFUSE the application.

2. Site description

- 2.1. The application site consists of 4.82 hectares and is located at the north west periphery of Wrentham. The site has been used continuously for agriculture and can be accessed from Chapel Road. Whilst the site is located outside the Suffolk Coast and Heaths Area of Outstanding Natural Beauty, it is positioned within its setting. The site is close to but outside the Wrentham Conservation Area.
- 2.2. Wrentham village is located on the A12 between Lowestoft and Southwold and has historically expanded along the road network, creating a built up area characterised by development branching out from the village centre mainly to the west. These consist of Chatten Close which borders the site to the east, a turn of the century estate with a mix of two storey properties. The Chestnuts, beyond Chatten Close, to the east is predominately bungalows with a few houses built in the 70s. On the opposite side of the road, to the south of the application site, Bonsey Gardens a linear post war estate with dwellings on either side of the road and further east of that is Oak Hill Close.

- 2.3. The Wren River stretches through the village north to south. The application site lies to the south of the river. The site is located within the lowest risk area - flood zone 1. To the north of the site, close to the river, Flood zone 3 is on the periphery of the northern site boundary.
- 2.4. A surface water infiltration basin sits in the north-west corner, which is associated with the existing development at Chatten Close.
- 2.5. The site is outside but closely related to the Conservation Area that stretches along Priory Road to the north of the site and along the High Street to the east of the site. Several heritage assets are located along Priory Road to the north including Priory Farm, The Priory and several locally listed buildings. These have prominent rear frontages and views from the north across the site. Paddocks located immediately east of the site contribute towards the setting of existing residential properties and create a sense of openness in the area. The landscape to the west has a more open character.
- 2.6. The edges of the site are currently used as informal pedestrian footways. Public Right of Way (PrOW) (Route No.6) is located on the opposite side of Chapel Road running along the western edge of Bonsey Road estate and connects into route No.15 and subsequently No.8. Route No.4 is located to the north on the opposite side of Priory Road; however, this is on the opposite side of the River Wren and relies on access to it via a road route.
- 2.7. Public transport exists within the village and connects Wrentham to larger service centres of Lowestoft, Kessingland and Southwold. School transport is currently provided from the village to Reydon Primary School and to secondary schools in the area.
- 2.8. This is an allocated site within the Waveney Local Plan under policy WLP7.8 for the residential development of approximately 60 dwellings and open space.

3. Proposal

- 3.1. The proposals seeks full planning permission for the development of 65 dwellings and associated garaging; including landscaped open space with fully integrated SUDs; recreation space and equipped play area for public use; highways; and other infrastructure.
- 3.2. The development will include a range of single storey and two storey dwellings in a mix of forms including detached, semi-detached and terraced properties. The size of the properties range from 1-4 bedrooms with a 30% provision of affordable housing equating to 20 affordable houses provided on site.
- 3.3. The materials proposed include a mix of red, multi and buff brick with a mix of pantile and plain tile roofing.
- 3.4. All properties will have off street parking and the majority of properties have an attached or detached garage. Visitor parking has been included within the provisions where local car parking standards have been met.
- 3.5. Access is proposed onto Chapel Road with footpath connection to the existing PROW network (route No.6) on the opposite side of Chapel Road. A walking route has been created around the perimeter of the site which adjoins the above mentioned footpath. A cycle route is also provided which connects into the road network within the site and the existing road network outside the site.

- 3.6. Sustainable Urban Drainage Systems (SUDs) has been incorporated into the landscaping scheme with an infiltration basin located to the north west, and swales running through the central corridor of the site and along the northern open space. The existing basin serving Chatten Close will be retained.
- 3.7. Open space is proposed to the south west of the site, which includes an equipped Local Area for Play (LAP) and connections to accessible landscaped walking routes along the west and north edges.

4. Consultations/comments

- 4.1. Seven representations have been received, six objecting to the proposal and one making comments; the comments have been summarised below:

- Overdevelopment.
- Road not suitable for this scale of additional development. In particular children crossing the road to use the new play area and safety of youngsters getting on and off the school bus.
- Parking is already a problem in Chapel Road, this will become worse.
- Traffic is too fast coming into the village.
- Loss of local footpaths.
- Impact on biodiversity.
- Loss of view.
- Localised flooding currently an issue, concern that this will be worse.
- The existing Balancing Basin is going to be affected by surface water entering it which is going to over flow out into the unmaintained ditch and then into the river Wren.
- Concern on overlooking.
- Concern about maintenance of swales.
- Access into the site not safe as visibility poor through Chapel Road.
- Fails to promote social interaction.
- Not enough sustainability considerations, and not including adaptations to climate change.
- Negative impact on Chatten Close.
- Lack of school to facilitate this scale residential development.
- Negative impact on existing facilities.
- Failure to protect the setting of a heritage asset (The Priory, a Grade II).

- Inaccurate flood risk assessment.
- Concern about drainage from the holding basin onto Eagle Court.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Wrentham Parish Council	22 June 2021	22 July 2021
<p>Summary of comments:</p> <p><i>"We have had positive and constructive engagement with Residents and Developer since this land was purchased for development. There have been 3 public meetings, 2 via Zoom and one face to face. Throughout this process a Log has been running to capture issues & highlight areas of concern - attached is an updated version of the log as the one used by the Developers within the Planning Application is now out of date - for your convenience we have highlighted the areas of concern in red. Councillors discussed the application at our meeting on Monday 19th July 2021 and voted to OBJECT to the application on the following grounds - Flooding - the attenuation pond appears to be higher than flood areas and properties. Will the system cope with additional surface water run off?</i></p> <p><i>Impact on privacy of existing residents of Priory Road/Chatten Close - will mature trees be used for screening? Are 2 storey dwellings suitable in this location?</i></p> <p><i>Access/Traffic - Speeding on Chapel Road. As there is street lighting should the entire length be 30mph? An additional 65 houses and associated vehicles will change the area. Could signage be improved to raise awareness of 30mph limit and proximity of children's play area.</i></p> <p><i>Access/Traffic - Creation of layby on Chapel Road for school bus & additional parking for parents dropping off/collecting children.</i></p> <p><i>Parking - there is a shortage of parking in the area & Wrentham in general. Residents and those visiting local businesses already struggle to park. Will there be adequate on the new development?</i></p> <p><i>Access/Traffic - Concern that increased traffic in Chapel Road will lead to Priory Road being used as a 'rat run' which will impact on the safety of residents and pets. Particular concern re HGVs using Chapel Road and Priory Road to access A12 when they should use Guildhall Lane to do so.</i></p> <p><i>Affordable Housing - ESC guidance is 30% - preference to be given to local people.</i></p> <p><i>Suggestion to Developers re naming of new roads."</i></p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	2 November 2021	24 June 2021
<p>Summary of comments:</p> <p>Access and Fire Fighting Facilities</p> <p><i>Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.</i></p> <p><i>Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.</i></p> <p>Water Supplies</p> <p><i>Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.</i></p> <p>Sprinklers Advised</p> <p><i>Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.</i></p>		

Consultee	Date consulted	Date reply received
Natural England	2 November 2021	23 November 2021
<p>Summary of comments:</p> <p><i>FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES As submitted, the application could have potential significant effects on:</i></p> <ul style="list-style-type: none"> <i>o Benacre to Easton Bavents Special Protection Area (SPA)</i> <i>o Benacre to East Bavents Lagoons Special Area of Conservation (SAC)</i> 		

o Minsmere to Walberswick SPA

o Minsmere to Walberswick Ramsar

o Minsmere to Walberswick Heath and Marshes SAC

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

A Habitats Regulation Assessment (HRA) is required to determine the impacts of increased recreational disturbance on the above sites. As noted in the submitted Environmental Impact Assessment, the development falls within the 'Zone of Influence' for the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'), we advise a financial contribution of £321.22 per dwelling.

Additionally, we advise that as the development results in an increase of over 50 dwellings, onsite mitigation should be secured. Natural England recognises that the development includes plans for public open access green space, however, we would advise that enhancements are made as outlined in the guidance below.

Natural England agrees with the conclusion from the submitted Environmental Impact Assessment that there will be no adverse impacts on Pakefield to Easton Bavents SSSI due to its distance and location.

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 June 2021	25 June 2021
Summary of comments:		
No objection requested general conditions on Construction Management Plan recommended condition on Discovery of Unexpected Contamination.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	22 June 2021	7 July 2021
Summary of comments:		
<i>This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). The site has been subject to pre-application archaeological evaluation (HER ref no.</i>		

WRE 079), which has identified two areas where archaeological features are present and require an archaeological excavation to be undertaken prior to the commencement of the development on this site. The archaeological features present on this site date from the Early Neolithic, Neolithic - Early Bronze Age, Roman, Early Saxon and high-late medieval periods. As a result, there is high potential for the discovery of additional below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	22 June 2021	2 July 2021
<p>Summary of comments:</p> <p><i>A holding objection is necessary because the drainage strategy is based wholly upon the use of infiltration, however the testing returned variable rates across that site with extrapolated results, failures in some locations and incidences of shallow groundwater. The inclusion of an open storage feature is welcomed however further open features incorporated into the layout are preferable to manage surface water runoff across the site, at source where possible. These can include rain gardens, tree pits, green roofs, permeable paving, bioretention areas and swales.</i></p> <p><i>The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.</i></p> <p>Officer Note: Re-consultation response received 16th November 2021 removing holding objection please see below for full details.</p>		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	22 June 2021	19 July 2021

Below are Suffolk County Councils developer contribution requests for development at the above site for :65 dwellings, both one and two storey, including landscaped open space, recreation space and equipped play area for public use, highways and other infrastructure. 4 No. 1 Bed, 16 No. 2 Bed, 32 No.3 Bed, 13 No.4 Bed + houses.

The site is allocated in the Waveney Local Plan Policy WLP7.8 .

CIL	Education	
	Primary expansion	£259,020
	Secondary expansion	£261,525
	Sixth form expansion	£47,550
CIL	Early Years	£103,608
CIL	Libraries improvements & stock	£14,040
CIL	Waste infrastructure	£3,640
	TOTAL CIL	£689,383
S106	Primary school transport costs	£126,525
S106	Secondary school transport costs	£66,275
S106	Highways	tbc
	TOTAL S106	£192,800
	-	
S106	Monitoring fee per trigger	£412

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	22 June 2021	24 June 2021
Summary of comments:		
No Objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	2 November 2021	12 August 2021
Summary of comments:		
<i>Officer cycling and walking infrastructure recommendations:</i>		
<i>1 - Introduce a cycling and walking track along the western and southern site boundaries. The track along the southern site boundary should be segregated from Chapel Road by the existing hedgerow. The track should have priority over the vehicle access road. The track should link into</i>		

Footpath 6 to the south, which should be upgraded to bridleway to enable cycle access.

2 - Introduce a cycling and walking crossing point on Chapel Road.

3 - Introduce a pinch point on Chapel Road, where Footpath 6 meets Chapel Road. The pinch point should be on the eastbound carriageway, thereby primarily slowing traffic entering the village from a national speed limit. The pinch point will also make crossing Chapel Road from WLP7.8 into Footpath 6 much safer and more comfortable.

4 - Explore opportunities to introduce a cycling and walking track between the north west corner of the site and Footpath 4. Upgrade Footpath 4 to a bridleway to enable cycle access. As

the site boundary does not reach Priory Road and as a stream appears to run west to east just north of the site, a pedestrian and cycle crossing point of the stream may be required.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	22 June 2021	No response
Summary of comments:		
Internal comments included under consideration section.		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	22 June 2021	6 July 2021
Summary of comments:		
Suffolk Police acknowledge that in general the layout with one way in is good and there is some good surveillance from the dwellings to public open space areas as well as looking onto other dwellings. There is also good surveillance to the visitor parking spaces.		
Comments on layout made details of which have been included within the body of the report.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	22 June 2021	No response
Summary of comments:		

Comments included within Officer report.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	22 June 2021	9 July 2021
Summary of comments: Comments included within Planning Consideration section of report.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
Wrentham Parish Council	2 November 2021	24 November 2021
Summary of comments: <i>We have had positive and constructive engagement with Residents and Developer since this land was purchased for development. There have been 4 public meetings, 2 via Zoom and 2 face to face. Throughout this process a Log has been running to capture issues & highlight areas of concern. Councillors discussed the revised plans at our meeting on Monday 22nd November 2021 and noted a great deal of work has been done which mitigates some of the concerns raised in July 2021 & we thank the Developers for this. Following discussion Councillors voted to OBJECT to the application on the following grounds –</i>		
Access/Traffic - Speeding on Chapel Road. As there is street lighting should the entire length be 30mph? An additional 65 houses and associated vehicles will change the area. Could signage be improved to raise awareness of 30mph limit and proximity of children's play area.	The PC are concerned that traffic hits the 30mph limit on a blind bend (with the nearside sign obscured due to a narrow verge) immediately prior to the entrance to the new development and children's play area. To prevent this becoming an accident hotspot the PC would like to see the speed limit reduced to 40mph between Church Corner & the existing 30mph area. There also needs to be signage to highlight the proximity of the new play area.	
Access/Traffic - Creation of layby on Chapel Road for school bus & additional parking for parents dropping off/collecting children.	This remains an area of concern. The PC would like to see further work to prevent exacerbation of existing issues in the area. The development will lead to more children using the school bus. There are already issues caused when the bus has no room to pull over and these will be worse with a new junction directly opposite the bus stop. The drop kerbed for pedestrians to cross Chapel Road to the new development is on a blind bend where speeding is already an issue. The Developers are willing to fund & build a layby(s) however permission is needed from Highways, we understand this has been refused when the Developers spoke with Highways, but believe that County Councillor Dunning is now raising this issue again.	

<p>Parking - there is a shortage of parking in the area & Wrentham in general. Residents and those visiting local businesses already struggle to park. Will there be adequate on the new development?</p>	<p>Chapel Road is narrow with many obstacles including kerbside parking opposite the entrance to the new development and, in addition, on the grass verges as you enter Bonsey Gardens. There is simply not enough residential parking. The development of 65 houses will bring increased traffic movement directly opposite Bonsey Gardens exacerbating the issue. The Parish Council asks that the provision of additional residential parking is looked at further to mitigate this. We understand the Developers are adding 2 additional parking spaces within the site. The Developers are happy to fund & build 2 additional bays in Bonsey Gardens but permission is needed from Suffolk County Council who own the land.</p>
<p>Affordable Housing - ESC guidance is 30% - preference to be given to local people</p>	<p>The Parish Council would like to see conditions in the Planning & in the S106 Agreement which make a provision to ensure that priority be given to those with a local connection. We understand conversations have been held between the Developer & The Housing Officer & the PC will contact the Housing Officer to ask that preference be given to those with a local connection.</p>

Consultee	Date consulted	Date reply received
SCC Highways Department	2 November 2021	29 November 2021
<p>Summary of comments:</p> <p><i>Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below once the LLFA holding objection has been lifted and adequately resolved as the drainage of the site is relevant to the highway network. Conditions have been recommended.</i></p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	2 November 2021	16 November 2021
<p>Summary of comments:</p> <p>Initially a holding objection was considered necessary because the proposed drainage network does not fully take into account advice previously issued by the LLFA (via email, dated 30th September 2021) or addresses all the points in the LLFA's previous holding objection, dated 2nd July 2021, and therefore does not currently comply with local or national guidance and policy. The LLFA's requests are consistent with standards other applications are held to throughout East Suffolk and take into account policy contained within the Waveney Local Plan, specifically WLP8.139, WLP8.140 & WLP8.24, the Suffolk Flood Risk Management Guidance and the Suffolk SuDS Guide. Further, the Environment Agency's reservoir flood mapping has been updated which needs reflecting in the submitted FRA.</p> <p>Following revisions made, the holding objection has been removed and strategy agreed; full details are noted within the Officer Report; conditions are recommended.</p>		

Consultee	Date consulted	Date reply received
Natural England	2 November 2021	10 th December 2021
<p>Summary of comments:</p> <p><i>NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED</i></p> <p><i>We consider that without appropriate mitigation the application would have an adverse effect on the integrity of the following designated sites:</i></p> <ul style="list-style-type: none"> • <i>Benacre to Easton Bavents Special Protection Area (SPA)</i> • <i>Minsmere to Walberswick SPA</i> • <i>Minsmere to Walberswick Special Area of Conservation (SAC)</i> • <i>Minsmere to Walberswick Ramsar</i> <p><i>We consider that without appropriate mitigation the application would also damage or destroy the interest features for which the underpinning Sites of Special Scientific Interest (SSSIs) of the above European sites have been notified.</i></p> <p><i>In order to mitigate these adverse effects and make the development acceptable, we agree that the mitigation measures summarised on page 3 of your Habitats Regulations Assessment (HRA) must be secured.</i></p> <p><i>We advise that an appropriate planning condition</i></p>		

Consultee	Date consulted	Date reply received
East Suffolk CIL	2 November 2021	No response
<p>Summary of comments:</p> <p>Internal comments included within report under considerations section.</p>		

Consultee	Date consulted	Date reply received
Disability Forum	2 November 2021	No response
<p>Summary of comments:</p> <p>No Comments received.</p>		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	2 November 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 November 2021	24 November 2021
Summary of comments: Internal comments included within body of report under Considerations.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 November 2021	8 November 2021
Summary of comments: No objections standard conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	2 November 2021	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	2 November 2021	No response
<p>Summary of comments:</p> <p>Internal comments included within considerations section of this report.</p>		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	2 November 2021	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	2 November 2021	22 November 2021
<p>• <i>Layout of Roads and footpaths:</i></p> <p><i>See Section 8 of SBDH 2019 which encourages defensible space to ensure that the physical environment enables the resident to control the areas around their own home. Research shows that the benefit of cul-de-sacs can be compromised if they are backing onto open land, or are very long (deep) or linked to one another by footpaths and poor lit. It is important to ensure that permeability is limited as this could provide the opportunity for crime to occur.</i></p> <p>• <i>Dwelling Layout and Orientation and Boundaries:</i></p> <p><i>See SBD H 2019 Section 10 and 11 and 13. Section 12 also gives guidance around gable end walls that do not provide further surveillance with windows in active rooms and can lend themselves to the opportunity for graffiti, loitering or ball games. It is important to ensure that gable end windows are designed in active rooms to provide further natural surveillance to vulnerable areas or vehicle parking places between dwellings where garages are not provided.</i></p> <p>• <i>Vehicle Parking:</i></p> <p><i>See SBDH 2019 Section 16: Vehicles should be either parked in locked garages or on a hard standing within the dwelling boundary.</i></p> <p>• <i>Landscaping:</i></p> <p><i>See SBDH 2019 Section 17: Sustainable provisions should be made for the maintenance and</i></p>		

management of Communal Open Space areas/grass verges/surface water drainage area. The correct use of certain species of plants can impact on the potential for crime and assist with preventing some types of crime. Planting should not impede the opportunity for natural surveillance or blocking of street lighting.

- *Street Lighting: See SBDH 2019 Section 18: Lighting should conform to BS 5489-1:2016.*

Whilst we are sensitive to the need for dark skies we would also point out that poorly lit areas can enable the opportunity for criminal activity.

- *Security Specifications: It is recommended that residential dwellings doors and windows are built to Section 21 and 22 (Secured by Design – police approved specification SBD PAS 24:2016). External dwelling lighting should conform to Section 25 of SBDH 2019. All dwellings to be fitted with dusk to dawn sensor lighting to front and back doors.*

- *Communal areas and Play Space: Should conform to SBD Homes 2019 Section 9.*

- *Cycle storage and external storage: Cycle Storage within dwellings should comply with Section 56 of SBDH 2019.*

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	2 November 2021	No response
Summary of comments: Internal comments included within Officer report.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	2 November 2021	2 November 2021
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	16 November 2021	16 November 2021
Summary of comments: <i>I refer to the proposal: development of 65 dwellings, both one and two storey, including landscaped</i>		

open space, recreation space and equipped play area for public use, highways, and other infrastructure.

Reason(s) for re-consultation: amended plans.

A consultation response was submitted to the LPA by way of letter dated 19 July 2021, which is still relevant. I have no further comments to make in respect of the re-consultation.

I have copied to county council colleagues who deal with highways, flood planning, and archaeological matters.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	2 November 2021	3 November 2021
Summary of comments: <i>Thank you for SCC Archaeological Service for planning application DC/21/2679/FUL. We have reviewed the submitted plans and our previous recommendation for conditions for archaeological excavation and reporting given 7th July 2021 is still advised for this development site. Pre-application archaeological investigation works undertaken on the site have identified two areas of archaeology which will require archaeological excavation prior to the commencement of development on this site.</i>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	2 November 2021	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	2 November 2021	30 November 2021
Summary of comments: Previous comments from 9 July 2021 apply.		

Consultee	Date consulted	Date reply received
NHS England Midlands And East	2 November 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Historic England	2 November 2021	18 November 2021
Summary of comments: <i>Thank you for your letter of 2 November 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</i> <i>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</i>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	2 November 2021	No response
Summary of comments: Comments included within officer report.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 November 2021	No response
Summary of comments: Comments included within officer report.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 November 2021	No response
Summary of comments: No additional comments made.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	22 June 2021	No response
Summary of comments: Internal comments included within officer report.		

Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Major Application	25 June 2021	16 July 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Affects Setting of Listed Building	25 June 2021	16 July 2021	Lowestoft Journal

5. Site notices

5.1. General Site Notice	Reason for site notice: Major Application; Affects Setting of Listed Building Date posted: 1 July 2021 Expiry date: 22 July 2021
--------------------------	--

6. Planning policy

- WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

- WLP1.3 - Infrastructure (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP7.8 - Land North of Chapel Road, Wrentham (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.27 - Renewable and Low Carbon Energy (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.32 - Housing Density and Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- National Planning Policy Framework 2021 (NPPF)
- The Historic Environment Supplementary Planning Document (SPD) adopted June 2021

- Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (SPD) adopted May 2021
- Waveney District Landscape Character Assessment April 2008
- National Design Guide January 2021
- Building for a Healthy Life June 2020

7. Planning considerations

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 7.2. The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans, for which Wrentham does not currently have. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of Development

- 7.3. The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, rural areas, for which Wrentham is considered, are expected to deliver approximately 10% of housing growth in the Waveney Local Plan area. The main policy to deliver that housing growth is WLP7.1 (Rural Settlement Hierarchy and Housing Growth) which states that 70% of new housing development in these areas will be in larger villages where Wrentham is considered to be a larger village under the local plan.
- 7.4. The strategy for Wrentham is to allow for a reasonable level of growth to help support the shops and services in the village. A mix of housing types and tenures will provide choice in the market and enable new housing to meet the needs of the community.
- 7.5. The land north of Chapel Road, Wrentham (4.82 hectares) as put forward in this application is allocated for a residential development of approximately 60 dwellings and open space under policy WLP7.8 (Land North of Chapel Road, Wrentham).
- 7.6. The principle of residential development on the site is therefore planned for and entirely supported by the Local Plan. This allocation forms part of the delivery of the strategy of the Local Plan as set out in policies WLP1.1 and WLP1.2 as noted above, which aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework.

7.7. Policy WLP7.8 sets down certain criteria for the development of the site which are considered as follows:

- The residential part of the site will be developed at a density of approximately 30 dwellings per hectare.
- Any proposal should be designed to provide a mix of housing types and sizes including single and two storey dwellings.
- Dwellings in the north part of the site and along the west boundary should be no higher than 1.5 storeys.
- Any planning application should be supported by a Landscape and Visual Impact Assessment that identifies the impact on the wider landscape and the Area of Outstanding Natural Beauty and conservation area, and any necessary mitigation works.
- Low density development is to be supported with a landscaping scheme to provide openness on site and provide screening along the north and west boundaries of the site.
- This landscaping scheme should be informed by the Waveney District Landscape
- Character Assessment (2008), Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study (2016) and the completed Landscape and Visual Impact Assessment.
- An equipped play area equivalent to a neighbourhood equipped area for play and ancillary open space for amenity use will be provided of a size not less than 0.5 hectares. The ancillary open space should have landscaping that lends itself to natural and informal forms of play.
- The public open space is to be located at the south side of the site and designed to have street frontages on three sides ideally being on a corner plot.
- Existing informal pedestrian footways should be protected and incorporated into development where possible.
- Hedgerows and trees located along the site boundaries should be protected and reinforced where possible.
- A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.
- A footway along the frontage of the site with Chapel Road should be provided.
- A Transport Statement should be submitted with any planning application.
- Any planning application should include the results of a programme of archaeological evaluation, including appropriate fieldwork, and should demonstrate the impacts of development on archaeological remains and proposals for managing those impacts.

- 7.8. The finer points of the proposal will be discussed in detail under the relevant consideration sections below.
- 7.9. The site area is 4.82ha with a built-up area, excluding landscaping area and amenity space, being 2.95ha. This provides a density of 22 dwelling per hectare which is lower than the policy requirements and considered suitable for this edge of village location where a lower density scheme accords with the neighbouring developments.
- 7.10. The proposals includes a mix of single storey and two storey dwellings where the properties along the southern boundary have been designed as single storey dwellings, and those on the west are a mix of single and two storey properties.
- 7.11. The required documents have been submitted in support of the application. These include but are not limited to the following which were specific requirements of the allocation policy set out above: a visual landscape appraisal; a detailed landscape scheme which shows screening along the north and west boundaries of the site; an ecological impact assessment (which has been undertaken and fully considered by the council's ecologist and Natural England); a Transport Statement; and an Arboricultural Impact Assessment Method Statement and Evaluation have also been included. These documents will be addressed throughout the report under the relevant material considerations below. These reports are considered by relevant consultees to meet the policy requirements.
- 7.12. The policy includes specific landscape considerations which include public open space being located at the southern side of the site; an equipped play area which is well overlooked; a footway along the frontage of the site; and the incorporation of the existing informal footways into the walking route around the site. Furthermore, the retention of existing hedgerows and trees along the boundaries of the site. These elements have been included in this detailed application and will be discussed in full under the relevant considerations below.
- 7.13. The principle of development is established through the Local Plan site allocation where material considerations will be discussed below.

Affordable Housing and Mix

- 7.14. The National Planning Policy Framework requires local planning authorities to identify the size, type and range of housing required, where the strategic Housing Market Assessment (2017) found that there was a need for smaller units across the district which included 1 and 2 bedroom properties. Policy WLP8.1 sets out the Council's approach to securing a mix of dwellings on development sites and requires at least 35% of dwellings to be 1 or 2 bed dwellings unless it can be demonstrated unfeasible.
- 7.15. A schedule has been provided on drawing number 0501.P12 which notes 4 one bedroom dwelling; 12 two bedroom dwellings; 31 three bedroom dwellings; and 18 four bedroom dwellings. This amounts to 25% of dwellings being 1 or 2 bed dwellings. Officers consider that whilst the mix of sizes and types of properties does not meet this policy requirement there is an overall mix of sizes and types of units on the site given the policy restrictions in number of single storey properties required and the low density dictated by the requirements of the site. 26% of the housing mix is 1 and 1.5 storey properties. Whilst in terms of bedroom size the percentage of 2 bed properties is lower than the council would

ideally request. At 25% there is still an adequate mix. The remaining are predominately 3 bed properties with 27% 4 bedrooms. There are no 5 bedroom dwellings proposed.

7.16. Policy WLP8.2 - "Affordable Housing" states that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for a proportion of the total dwellings to be affordable housing as follows:

- Housing developments in the Lowestoft and Kessingland area (excluding Corton) must provide 20% affordable housing;
- Housing developments in the Southwold and Reydon area must provide 40% affordable housing; and
- Housing developments in the remainder of the District must provide 30% affordable housing.

7.17. The policy discusses the types of tenure to be delivered on site where 50% should be affordable rent. The Government introduced a new scheme in June 2021 where all housing developments permitted after November 2021 must include a new tenure, First Homes, as part of their affordable housing mix. This does not reduce the amount of affordable rent required, however this is the governments preferred discounted market tenure and must account for at least 25% of all affordable housing units delivered by developers through planning obligations.

7.18. The proposal is for 65 dwellings of which 30% equates to 19.5 dwellings. The proposed affordable provision is therefore 20 dwellings on site in a mix of:

- Affordable Rent (AR) Bungalows 1 bed – Plots 18, 19, 35 & 36
- AR Bungalows 2 bed – Plots 37 & 38
- AR Houses 2 bed – Plots 16 & 17
- AR Houses 3 bed – Plots 20 & 21
- Shared Ownership (SO) Houses 2 bed – Plots 22, 29 & 30
- SO Houses 3 bed – Plots 3 & 4
- First Homes Houses 2 bed – Plots 25, 31 & 32
- First Homes Houses 3 bed – Plots 5 & 6

7.19. The affordable housing schedule above has been agreed by the councils housing officer. Where first homes have been included within the mix as per government requirements. The affordable housing provision will be secured within the S106 agreement and would thus accord with WLP8.2. As the scheme delivers half an affordable dwelling beyond the policy requirement Of 19.5 (usually the 0.5 is covered with a commuted sum) the benefit of a whole extra dwelling is recognised on top of the significant benefit of affordable housing.

Design of Development

- 7.20. Allocation policy WLP7.8 provides criteria on how development of the site should come forward. Policies WLP8.29, 8.30, 8.31 and 8.32 also provide broader design guidance. Policy WLP8.29 - "Design" states that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should demonstrate a clear understanding of the form and character of the built and natural environment and use this understanding to complement local character and distinctiveness. Developments should respond to local context and the form of surrounding buildings in relation to:
- the overall scale and character
 - layout
 - site coverage
 - height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular.
- 7.21. Within developments where affordable housing is provided Policy WLP8.2 highlights the importance of the affordable housing provision being indistinguishable from market housing in terms of the location, external appearance, design, standards and build quality and should meet all the same requirements of the design policies.
- 7.22. The layout broadly concentrates development in the middle area of the allocated site with a large buffer to the downslope along the northern boundary and a smaller one to the southern boundary. This is appropriate in principle, as it respects the site's topography, water drainage constraints, position of heritage assets, and the position of existing built form, Chatten Close.
- 7.23. With respect to the layout, one of the key drivers for its organisation is the position of the access off Chapel Road that forms the southern edge to the application site. The size of development is small enough for a single access to be entirely appropriate, and its position in the site corner is dictated by the position of the existing access opposite the site into Bonsey Gardens. The access being located towards off centre means that the policy requirement for the open space can be adequately located on the southern side of the site, avoiding this space being subdivide. This arrangement is considered to work well within the policy constants.
- 7.24. The layout incorporates back-to-back arrangements, where the dwellings on the cranked south-eastern boundary back onto the existing dwellings within Chatten Close. The existing tree line along this boundary has been retained. The layout has responded well in this manner to the character of the surrounding area.
- 7.25. The main route follows a linear cranked form on the eastern/south eastern boundary, which allows for a free hand secondary road system. There is a central circus where the streets intersect, which provides a central focus point for the development. The overall character, whilst formal, reflects that of Bonsey Gardens opposite and relates well to Chatten Close.

- 7.26. The development form is influenced by the site's topography, in terms of the location of the infiltration basin and overall shape of site. The site is divided into three perimeter blocks, where a fourth is made up by the south eastern row of properties and those located on the north west side of Chatten Close. This overall form provides an outward facing development which is appropriate for the location of the site. Whilst it does lead to an increase in access road area, as shared surfaces or private drives must be provided to all frontages of each block. The alternative is the use of rear parking courts which are not feasible here, given the small size of the development parcel.
- 7.27. The perimeter block form has the advantage of allowing development to address many key elements such as the countryside edges, internal roads and the two areas of public open space, which have been positively designed as landscape amenity features and play space, and incorporated into the layout. This overall approach is conventional and responds well to the surrounding area.
- 7.28. The perimeter blocks have been designed with a variety of form in that the scale of the properties change with the inclusion of single storey properties. This works well and helps avoid uniformity across the site which would have otherwise been out of character with the village and rural setting.
- 7.29. The streetscenes illustrate a strategy of single storey dwellings positioned along the northern and part of the western elevations, with two-storey dwellings positioned further into the site. The massing is considered to comply with policy wording, which is intended to reduce the effect of that to the development edges that face outwards into the open countryside or towards existing development along Priory Road. This strategy is also carried over into the setback frontage to Chapel Road, which has a mix of single and two-storey dwellings, reflecting the transition from the countryside into the village.
- 7.30. The use of focus buildings has been incorporated throughout the site, with those dwellings on key corners having dual frontages to ensure a legibility throughout the site. The central circus provides a welcome relief from the built form on approach into the site and softens the layout.
- 7.31. There are no existing rights of way within the site, however the site has been used as an informal walking route. PROW No.6 is opposite the site starting in the north western corner of Bonsey Gardens. The site is, otherwise, self-contained in respect of these kinds of connections but is well positioned for connectivity to the village centre and the services contained there. This is partly why it has been allocated as a development site.
- 7.32. The layout shows good internal connectivity through the site and between key areas of it, such as the development parcels, the play area, and public open spaces. The site perimeter is partly included in these connections. The site is small enough to enable easy foot connections across that do not involve extensive distances; and that the routes include alternatives to each other, either through the built development or its green margin setback (to the western edge). The perimeter footpath is shown to connect out of the site to the opposite side of the road where an existing footpath can be picked up and adjoin the PROW system.
- 7.33. The eastern/south-eastern edge has taken into account existing adjacent development; the northern edge takes account of the need for swale and infiltration basin provision and green

buffering; the western edge responds to the countryside with an outward facing built frontage; and the southern edge makes provision for open and play space.

- 7.34. The submission includes streets scenes and 3D visualisations along with a full suite of house types. The overall character is quiet and provides a traditional pastiche. The materials include a mix of different brick types, including red and buff colours with a mix of pantile and plain tile roofing. This is considered acceptable in the context of the village. The hard surfacing materials are acceptable. The boundary treatment has been considered to include both close boarded fencing and brick walls where these boundaries make up part of the streetscene. A materials schedule has been included on drawing 0504P7.
- 7.35. Overall, the layout and character of the development accords with the principles set out in WLP8.29 where it demonstrates a clear understanding of the form and character of the built, historic and natural environments and responds well to local context. Where the density and design have been considered to make the best use of the site in a manner that protects the character of the area in accordance with Policy WLP8.32. The scheme meets the high-quality design and layout aspirations of the site allocation policy.
- 7.36. As part of the council's vision to create a healthy population, dementia friendly design principles should be incorporated in all types of development where appropriate, but particularly housing developments. Policy WLP8.31 requires that all new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above. The design and access statement notes that the development will be accessible to all. The exact location of properties to meet the above requirements have not been noted on the plans; however a condition can be added to secure this requirement seeking a plan to demonstrate which dwellings will meet Requirement M4(2) of Part M of the Building Regulations, this will not alter the overall layout or style of properties.

Heritage

- 7.37. The site is located close to Wrentham's Conservation Area and a number of other heritage assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" given the sites proximity to the Conservation Area the councils design team have reviewed the submitted documents. The submitted Heritage Statement meets the requirements of the NPPF Paragraph 194. Paragraph 206 of the NPPF states *"that Local planning authorities should look for opportunities for new development...within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably"* The submitted Heritage Assessment correctly takes into account the relevant designated heritage assets which include the Conservation Area the setting of which will be altered by this development in accordance with policy WLP8.9 Conservation Areas,
- 7.38. There will be a change in the character of the land that forms part of the setting to the identified heritage assets noted within the Heritage Assessment, which include but are not limited to the following Grade II listed buildings 6, 8, 10 Priory Road; The Priory; and the Prior Farmhouse which lie to the north of the site and Wrentham Conservation Area.

Planning (Listed Buildings and Conservations Areas) Act 1990 sets out the general duty as respects listed buildings in exercising planning function. This includes the need to have special regard to the desirability of preserving the building or its setting. Paragraphs 199 and 202 of the NPPF notes the weight to which the asset should be given when considering the impacts of a development. The change in character has been considered in this manner noting that the change will arise from the change in use from agricultural land to the built development. However, aside from the parish church (which is more remote and unaffected), the identified assets all form part of the village of Wrentham which has a built character. The development here will also form part of the built character of Wrentham and will not be adverse in its impact. Any indirect impacts on the setting of heritage assets have been taken account of in the design of the development's layout and, therefore there will be no harm arising from this proposal, the principle of which is already approved by the allocation, and the detail of which is acceptable. The proposals accord with the above mentions paragraphs of the NPPF and Policies WLP8.37 Historic Environment which seek proposals for development to conserve or enhance Heritage Assets and their settings.

Residential Amenity

- 7.39. Policy WLP8.29 (Design) of the Local Plan promotes development that integrates well into its context in terms of neighbour amenity and living conditions. Third party comments have raised concern over amenity, however the closest neighbouring properties to the development will be those on Chatten Close. A perimeter block form has been used to ensure that all properties within the site and adjoining the neighbouring development have a back-to-back relationship. The distance between the properties on this southern boundary is a minimum of 30 metres. There is one property on this row which would result in a side to back relationship where the distance to the boundary is 20 metres. These distances are acceptable and would not result in any direct overlooking. The single storey scale properties on the northern boundary will protect the amenity of those properties to the north which are located on a lower ground level.
- 7.40. Although there will be short term disturbance during the development of the site these impacts can be controlled and mitigated through a construction management plan secured by condition. This policy also requires a good standard of amenity for future occupiers of the proposed development, the proposal allows generous garden sizes with suitable outlook and no unacceptable overlooking. The design quality of the proposal is acceptable and provides a good standard of amenity for both existing/neighbouring and future residents. The layout is in compliance with Policy WLP8.29 in terms of amenity.

Landscape and Visual Impact

- 7.41. Policy WLP8.35 seeks to ensure that development is informed by and sympathetic to the distinctive character areas and strategic objectives. Development is expected to demonstrate that their location; scale; form; design; and materials protect the special qualities and local distinctive of the area.
- 7.42. The application include a Tree Survey and Arboricultural Impact Assessment and Method Statement by Oakfield Arboricultural Services. A total of 16 individual trees and 6 groups have been assessed, these are mix of standard trees and hedgerows. These are a mix of Oak, Ash, Lime, Hawthorn, Goat Willow, Birch, Field Maple, Blackthorn, Hazel, Pine and Cypress.

The best trees on the site are T1 & T5 Oak. This proposal requires the removal of G5 mix Blackthorn and Hazel (behind plots 24 & 25) and part of G7 Field Maple and Hazel (located on roadside frontage) for access / visibility splays. A landscape scheme mitigates the loss of G5 & G7. All construction is shown to be outside root areas and although no new service runs are shown on plans, these could be located within roads and away from retained trees.

7.43. The survey states that any need for tree works due to proximity to dwellings and/or shade is considered very low, and not of any significant concern. Drawing No. OAS 21-032- TS03 – TS04 details the Tree Protection Plan. The proposed development requires minimal tree removals to accommodate the layout.

7.44. There is a tree belt running along the boundary of this site and Chatton Close, given the nature of the development and importance of these tree belts, a management plan should be put in place to ensure that these are adequately managed throughout the development's lifespan. This information will be requested through condition, where permission is granted.

7.45. The allocation policy is clear in its requirement that the Landscaping scheme is informed by the Waveney District Landscape Character Assessment and in respect of the Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study which was published in September 2016. This records that, the landscape surrounding the settlement falls within the following Great Yarmouth and Waveney District Landscape Character Areas:

- I3: Sotterley and Benacre Plateau
- K1: North Suffolk Sandlings
- H7: Blyth and Wang Tributary Valley Farmland

7.46. The key features and characteristics of the landscape around Wrentham that apply to this site are summarised as follows:

- Remnant Historic Landscapes: The landscape to the north-west and west of Wrentham is comprised remnant historic, pre-18th Century enclosure of random fields.

7.47. The fieldscapes to the east and south are made up of 18th Century and later enclosure of former common pasture, and former common arable or heathland. In the far south-west of the study area a block of modern plantation woodland exists on former common pasture, and a parcel of remnant ancient landscape, irregular co-axial fields. The edges of Wrentham are predominantly sensitive.

7.48. The application site falls within landscape setting area 4 as defined by the study, the key features of which are:

- Small and medium-scale field pattern
- Field boundaries predominantly hedgerows with hedgerow trees
- Oak standards
- Large plantation woodland in the south adjacent to watercourse

- Wrentham Cemetery County Wildlife Site

- 7.49. Wrentham is considered to have moderate strength of place, apparent visibility, moderate landscape sensitivity, and moderate landscape value. Overall, it is considered to have a high landscape capacity for development as a result of its moderate landscape sensitivity, moderate landscape value and limited contribution to the setting of the AONB. This area has historic continuity which is evident in the coherent landscape patterns of fields. The LSA is adjacent to the Conservation Area in Wrentham and contains a small County Wildlife Site which contributes to the area's landscape value. Woodlands are generally not characteristic of this area, although hedgerow trees are, and can be found in large numbers along hedged lanes and field boundaries. There are some visual detractors within this setting area such as polytunnels, but these are temporary. Visibility within this LSA is moderate, as some extensive views are possible, typically through gaps or gateways in the hedges. There are very limited views of the undeveloped farmland within this LSA from within the AONB.
- 7.50. The definition of high landscape capacity is *the landscape is assessed as having low to very low landscape sensitivity and low to moderate landscape value Subject to appropriate siting, design and landscaping mitigation, large, medium and small-scale new development could potentially be accommodated within the landscape without eroding positive key features and characteristics which are desirable to safeguard.*
- 7.51. The application is accompanied by a professionally prepared landscape and visual impact assessment (LVIA) which assesses the site against the sensitivity study as well as the various tiers of landscape character assessment and has identified that the site is reasonably typical of the various assessments. It also notes that the existing settlement edge accords the site a reduced level of sensitivity to further development. It goes on to state: The immediate setting to the south and southeast of the site has established and unremarkable residential estates with no particular landscape merit. This setting would be considered to have low sensitivity to the type of development being proposed. However, the setting to the northeast, north and west provide aspects of remnant historic landscape, including several listed buildings within the village conservation area. There are not expected to be direct changes to areas beyond the site boundary but clearly the character of the setting will be altered. Overall, the immediate setting is therefore considered to have medium sensitivity to the type of development being proposed.
- 7.52. There will be some adverse landscape effects arising from what is anticipated to be a two year construction period, but these are temporary, and confined to the immediate locality. With the proposed landscape planting programme, and taking account of the nature of the development, it is predicted that the development will have a moderate to slight effect on the immediate setting of the site, with only slight or neutral effects on the wider setting.
- 7.53. Visual impacts are assessed from a range of surrounding viewpoints none of which are identified as having significantly adverse effects, apart from some immediately adjacent residential properties, but not from public viewpoints. It is concluded that with an appropriate landscape mitigation package, which can be finalised in detail through conditions attached to any planning consent, and through appropriate choice of building materials as approved, there will be no adverse landscape or visual impacts arising from the development once new landscape planting has become established and is maturing. On this basis the landscape scheme is policy compliant.

Open Space

- 7.54. Policy WLP1.3 - Infrastructure states that "Open space should be provided on residential development sites of 1 hectare or more in size and be based on the needs identified in the Waveney Green Infrastructure Strategy and Open Space Needs Assessment". Policy WLP8.30 sets out the design requirements of securing open space within residential developments which must be inclusive of people of all ages and abilities. The allocation providing the position of the open space as part of its compliance, whereby the open space is to be located towards the front of the site to ensure it is accessible to neighbouring developments.
- 7.55. Accessible public open space is amply provided for within the layout shown and, both in the southern and in the northern part of the site. A smaller area (the circus) is provided for within the built layout, itself, which will be different in character to the larger public open spaces. Connectivity to these spaces is well provided for and the site is small enough to allow easy access to them from all parts of the site and beyond.
- 7.56. The northern green space is a green buffer which hosts the infiltration basins, this land will be fully accessible, and the footpath is shown through this area. The proposed treatment as a meadow does suggest a semi-wild character and that will make it an attractive transitional space. The open space towards the front of the site, will include an equipped play park, details of which shall be conditioned, this area will be laid to grass with a tree/hedgerow boundary and nature areas. Both a footpath and cycle path adjoin this area. All three open spaces are well overlooking with active frontage facing them. The spaces are accessible without crossing a main road and they are separate from areas of vehicle movements. The spaces have been well incorporated into the layout and is a prominent feature of the site and is policy compliant.
- 7.57. The provision of open space will be secured through a Section 106 agreement; and the details for the future long term management of this open space is to be secured by condition to ensure that the space is properly maintained throughout the life time of the development.

Highways and Sustainable Transport

- 7.58. The Local Plan policy WLP8.21 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. Section 9 of the NPPF supports these policy requirements and promotes opportunities to walk, cycle or use public transport. Policy WLP8.21 - "Sustainable Transport" of the Local Plan also states that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 7.59. East Suffolk Council is at the early stage of producing a Cycling and Walking Strategy, which will supersede the Waveney Cycle Strategy (2016), the recommendations in this document suggest the introduction of a cycling and walking track along the western and southern site boundaries which should be linked in to PRoW No.6. This has been incorporated into the scheme layout, where the informal walking routes discussed by third parties have been incorporated into a walking route which connects around the outskirts of the site through the public open space. A cycle route has also been included, both of which link to the

opposite side of Chapel Road via a dropped kerb and new path which connects to the PROW. This is shown on drawing 503P7. The approved plan CLW-CF-ZZ-XX-DR-A-0503-P7 Highway Plan show the cycle route and pedestrian crossing including the widening of the footpath on the opposite side of Chapel Road, these improvements will be carried out prior to occupation of the dwellings compliance of which will be secured through conditions.

- 7.60. A road pinch point was recommended, by the councils policy team through the cycling and walking strategy, for introduction to help reduce speed limits on entry into the village which is the main concern raised by third party responses and the Parish Council, however this was not supported by the County Highway Authority. As a compromise the development includes an entry sign into the village located 25m before the 30mph sign. This gateway will be used to promote the upcoming speed change and entry into the village.
- 7.61. Suitable cycle storage provision can be secured through appropriate planning conditions.
- 7.62. Third party objections raise the concern that there is not sufficient facilities in the village to support this growth, such as there not being a primary school. Where children currently have to travel to receive both primary and secondary education. It is noted that the County Council have requested a contribution for both primary and secondary school transport costs of £192,800 which will be secured through the S106 legal agreement. An additional concern raised was the location of the informal school bus stop on Chapel Road outside the development site, which was considered by third parties to be unsafe. The road along this part of the development has been widened to 5.5metres to create additional space for a bus to stop and allow traffic movement past. The County Council did not consider that there was a requirement for a new permanent bus stop in this location and the compromise is considered acceptable in addressing the third party concerns.
- 7.63. A safe and suitable access will be provided and proportionate contributions and works to encourage sustainable transport modes are accepted which are considered to meet the requirements of Policy WLP8.21 "Sustainable Transport". The proposal would not have an unacceptable impact on highway safety and would accord with the principles set out in the NPPF.
- 7.64. The County Highway Authority have approved the access arrangements and the overall layout within the site, where a refuse strategy has been provided.
- 7.65. Parking is shown as a mixed provision with on-street, on-plot, frontage and garaging. Visitor parking is accounted for by on-street designed-for bays. The general avoidance of frontage parking is a merit of the layout and should be recognised as such. The layout will definitely help avoid car-dominated frontages to streets and streetscenes. The parking standards have been met and the scheme is considered to be policy compliant where relevant contributions in relation to school transport costs set out above are secured.

Sustainable Construction

- 7.66. Policy WLP8.28 "Sustainable Construction" of the Local Plan requires that proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have been incorporated. This should include matters such as:

- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
- Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
- Locally sourced and recycled materials.
- Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
- Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse, recycling and composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.

7.67. A sustainable construction statement has been submitted as part of the suite of documents. In terms of reducing CO₂ emissions, it states that the design of low energy dwellings will be done by ensuring the 'U' values will be higher than those minimally required through building regulations. Air Source heat pumps will be used for all units to deliver both heating and hot water with intelligent thermostatic timed controls installed. Photovoltaics will be installed on all southern facing roof slopes. The development will achieve a target of 20% below the Co₂ emission rate stipulated within Part L of the Building Regulations.

7.68. In terms of other sustainable elements. An integrated SUDs system, described below, will be incorporated into areas below driveways and to soakaways serving the roofs to ensure that all surface water is managed onsite. Dual flush toilets will be installed. A water efficiency of 1110 litres/person/day will be introduced. In addition, passive ventilation will be adopted where possible and dedicated areas for the separation and storage of waste will be provided.

7.69. The developers will prioritise the use of locally sourced materials and workforce and have a construction policy to manage site waste with an emphasis on reducing waste through efficient use of materials and reduction in product taken to landfill. The guidance and strategies put forward in the sustainability report will be conditioned to ensure that the construction meets the requirements of WLP8.28.

Flood Risk and Surface Water Drainage

7.70. The site is predominantly located in Environment Agency Flood Zone 1 and therefore sequentially preferable for residential development. A surface water drainage strategy has been provided and is deemed acceptable by the Local Lead Flood Authority (LLFA).

7.71. The site slopes from south to north, currently draining into the River Wren which is located to the north of the development site. Whilst there is a flood zone buffering this river, the built up area of the site lies well outside that zone. There has been local concern over flooding in this area, mainly to those properties located to the north of the River, the LLFA

has reviewed the information submitted and confirmed that there will be no additional pressure on the river as a result of this development. The surface water will be managed on site through a sustainable drainage system (SUDS)

- 7.72. Policy WLP8.24 (Flood Risk) notes that development should use sustainable drainage systems to drain surface water. These systems should be integrated within the landscaping scheme and the green infrastructure provision of the scheme.
- 7.73. The system proposed for the development relies on the use of infiltration into the ground which feeds water to both the swales located centrally on the site and any overflow to the large infiltration basin to the north west corner of the site. Any overflow from this basin will be discharged into the watercourse at a limited rate. The existing basin supporting the Catten Close estate will not be affected by this system.
- 7.74. Swales have been used along the open space from the front of the site through to the centre. A large swale running along the southern edge of the open space to the north of the site is shown to ease water into the infiltration basin from the surface water network. These shallow swales have been designed as part of the landscaping within the overall site. New hedging has been provided on the northern boundary which will be raised on an earth bund. This bund will act as a buffer in the unlikely event of a serious storm ensuring that excess water would not cause any adverse impacts to the neighbouring properties, this has been included in direct response to the parish council concerns and those raised by third parties.
- 7.75. Several large soakaways have been included throughout the development where achievable meeting building requirements. In addition, rain gardens have also been incorporated into many of the front gardens of individual plots.
- 7.76. The proposed drainage system conforms to the drainage hierarchy requirement of firstly infiltration. The overflow system provides an extra safety margin above the 40% climate change, 10% creep and 10 times factor on the infiltration rate to ensure a robust drainage network for surface water. The swales, raingardens and basin provide surface water treatment in excess of the requirements. All provide a robust surface water network for the development and reduce the flood risk off site.
- 7.77. The SUDS scheme has been well designed and thoroughly considered to ensure that it integrates seamlessly into the overall landscaping scheme to provide a holistic approach to the management of surface water and the overall development of the site. The proposal accords with WLP8.24 (Flood Risk).

Ecology

- 7.78. The application is supported by an Ecological Impact Assessment (EcIA) (Norfolk Wildlife Services, June 2021) and the conclusions and proposed mitigation measures identified are broadly acceptable and policy compliant.

Protected Species and UK Priority Habitats and Species

- 7.79. The EcIA concludes that in the absence of mitigation measures, minor adverse impacts on foraging bats and nesting birds are likely as a result of the development. Neutral impacts on reptiles, amphibians and other mammals (badger, brown hare and hedgehog) are predicted.

- 7.80. The EclA includes appropriate mitigation measures which will reduce the identified adverse impacts to neutral impacts. Conditions are recommended below to secure the necessary mitigation measures.
- 7.81. The development will also involve the loss of a section of hedgerow (a UK Priority habitat) on the southern boundary of the site to create the access. However, the landscape planting for the proposed open spaces (drawing no. LS 00) includes hedgerow planting of greater length than that to be lost. Whilst there will be a short term loss of hedgerow habitation site whilst the new planting matures, in the long term a greater amount of this habitat type will be available than is currently the case. A condition securing the long term management of the newly created open space habitats, via a Landscape and Ecology Management Plan (LEMP), must be included should permission be granted.
- 7.82. The EclA also includes a list of ecological enhancements which are broadly appropriate for the development, although the final specification should also include integrated swift bricks in an appropriate number of the new dwellings. Whilst there are details of suitable enhancements provided, further information on the exact installation locations of bird and bat boxes/bricks and hedgehog access points is required, which can be secured by condition.

Habitats Regulations Assessment (HRA)

- 7.83. The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site’s conservation objectives in accordance with the regulations. The council has carried out its own HRA which has been submitted to Natural England.
- 7.84. As recognised in the EclA, the application site is within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence (within 13km of Benacre to Easton Bavents SPA; the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site and the Minsmere-Walberswick Heaths and Marshes SAC). In order to mitigate the increased recreational disturbance impacts on European designated sites arising in combination from new residential developments a suite of mitigation measures are required as part of this development. The attached draft Habitats Regulations Assessment (HRA) considers this issue in more detail and a summary of the required measures is set out below:
- A financial contribution to the Suffolk Coast RAMS (65 dwellings x £321.22 per dwelling = £20,879.30), either as part of the S106 agreement or paid upfront;
 - Provision of approximately 2Ha of onsite open space (in accordance with the submitted plans);
 - Provision of onsite walking routes and connections to the wider public rights of way network (in accordance with submitted plans);

- Provision of dog waste bins as part of the open space provision, which can be secured by condition; and
- Secured long term management of the open space areas via a Landscape and Ecology Management Plan (LEMP), which can be secured by condition.

7.85. Natural England have been consulted on the HRA and raised no objection providing the above mitigation measures are carried out in full. The proposal is acceptable in this regard in accordance with WLP8.34 (Biodiversity and Geodiversity).

Archaeology

7.86. The site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). The county's Archaeological Services note that the site was subject to pre-application archaeological evaluation (HER ref no. WRE 079), which identified two areas where archaeological features are present and require an archaeological excavation to be undertaken prior to the commencement of the development on this site. The archaeological features present on this site date from the Early Neolithic, Neolithic – Early Bronze Age, Roman, Early Saxon and high-late medieval periods. As a result, there is high potential for the discovery of additional below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

7.87. The allocation policy notes that any planning application should include the results of a programme of archaeological evaluation, including appropriate fieldwork, and should demonstrate the impacts of development on archaeological remains and proposals for managing those impact. An Archaeological Evaluation was provided as part of the submission which meets policy requirements.

7.88. The consultation response acknowledges the findings of the submitted report and notes that there is no grounds for refusal based on these finding, however conditions requiring the implementation of a programme of archaeological work is secured and subsequently completed. With conditions the scheme accords with WLP8.40.

Financial Contributions

7.89. Paragraph 57 of the NPPF is clear that planning obligations should only be sought where they meet all the following tests:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

7.90. Within the response from SCC a contribution of £192,800 has been requested to provide primary and secondary school transport.

7.91. The affordable housing provision of 20 dwellings is policy compliant and the mix is agreed as such no additional commuted sum is required.

7.92. The RAMs payment set out above will be sought through the S106.

- 7.93. In this instance the requirements for above contributions would meet the three tests within paragraph 57 of the NPPF. The request is related to the development and is reasonably related in scale and kind to the development as such will be sought through the section 106 agreement.

Community Infrastructure Levy (CIL)

- 7.94. Policy WLP1.3 "Infrastructure" requires developers to consider the infrastructure requirements needed to support and service the proposed development. All development will be expected to contribute towards infrastructure provision to meet the needs generated.
- 7.95. The Community Infrastructure Levy (CIL) is "a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use them to help deliver infrastructure needed to support development in their area".
- 7.96. The proposed development falls within Zone 3 of the Waveney charging schedule = £60/sqm + indexation. A permission granted in 2021 has a zone 3 charge of £89.20 per sqm of GIA. There is relief available for affordable housing where the criteria set out in the CIL Regulations is met.
- 7.97. There is no dispute from the developer that CIL contributions will be met. Therefore the local needs for infrastructure can be addressed. The Council meets regularly with Infrastructure providers to ensure that infrastructure is being planned in a way which is aligned with growth and to ensure that timely CIL bids are submitted for essential infrastructure. This includes primary school expansion at Reydon, Brampton or Kessingland Primary Schools. Secondary School expansion and local pre-school expansion/delivery. Opportunities for Primary Healthcare expansion is also a priority where guided by the CCG.
- 7.98. The development will generate a 15% proportion of Neighbourhood CIL which will be transferred to the Parish Council to spend on local infrastructure needs and this is a benefit of the development in supporting the quality of infrastructure in the village.

8. Conclusion

- 8.1. Paragraph 2 of the NPPF (2021) states that "Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise". That section of the law is contained in S38(6) of the Planning and Compulsory Purchase Act 2004.
- 8.2. The starting point is therefore the Development Plan. The application site is allocated under Policy WLP7.4 whereby the level and type of development proposed meets the criteria noted within that policy.
- 8.3. No harm has been identified by any indirect impacts on the setting of heritage assets which include a number of listed buildings and the setting of the Conservation Area, all of which have been taken account of in the design of the development's layout.
- 8.4. The Parish Council and third party concerns regarding Highways has been taken account of and mitigated against in the proposals which include improvements to the Highway with the inclusion of a village entry sign to slow traffic coming into the village; a widening of the Highway outside the site to accommodate the school bus; a new accessible foot and cycle

path which connect the previous informal footpaths around this site with the PROW system.

- 8.5. The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and adopted Local Plan. The proposals have been revised to meet the requirements of the Highway Authority and provide suitable safe access; suitable parking provisions; cycle storage and well-designed refuse layout. The development has included enhancement to the existing road network with the increase in width of road to enable the school bus to be more suitably accommodated and the introduction of a village sign which will help slow traffic at entry point into the village. The scheme includes a footpath and cycle network both in and out of the site allowing provisions to join the hierarchy of PROW routes.
- 8.6. The development has provided a comprehensive SUDs scheme which includes the use of infiltration basins and swales which form part of a coherent landscape scheme.
- 8.7. The proposal represents a sustainable form of development and is recommended for approval.

9. Recommendation

- 9.1. AUTHORITY TO APPROVE with conditions (including but not limited to those summarised in section 10 of this report); and subject to the completion of a S106 Legal Agreement within six months to secure obligations (including but not limited to):
 - Affordable housing provision.
 - Provision of open space.
 - A financial contribution towards primary and secondary school transport.
 - Contribution towards RAMS (either S106 or S111)
- 9.2 Or, in the event of failure to complete the S106 within six months of the date of the Committee Meeting, AUTHORITY TO REFUSE the application.

10. Conditions

1. Three-year time limit.
2. Standard plans/drawings compliance.
3. Details of all external materials to be agreed prior to commencement.
4. New access laid out in accordance with approved plan and retained.
5. Details of means to prevent the discharge of surface water onto Highway prior to commencement.
6. Max gradient of Access compliance.
7. All parking and manoeuvring to be provided prior to use.

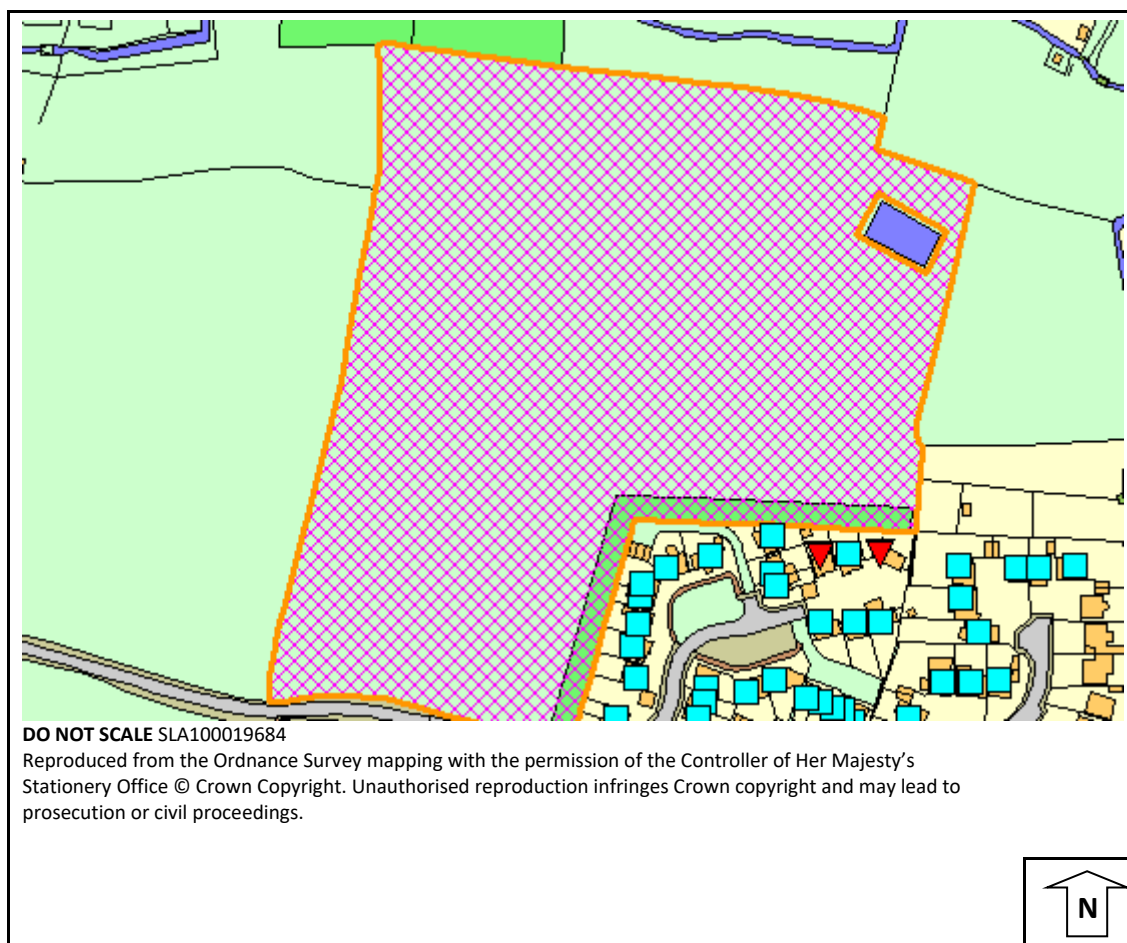
8. Clear visibility provided prior to use of access.
9. Details of electric vehicle charging points to be approved prior to commencement.
10. Details of cycle storage to be agreed prior to completion.
11. Submission of a construction management plan prior to commencement.
12. Highway improvements to be carried out prior to occupation.
13. Village sign to erected prior to occupation.
14. Cycle and pedestrian crossing carried out prior to occupation.
15. Details of estate roads and footpath to be submitted prior to commencement.
16. Footpaths to be secured prior to occupation.
17. New estate junction formed prior to other works being carried out compliance.
18. Residents Travel Pack (RTP) shall be provided to residents within one month of occupation.
19. Details for the disposal of surface water submitted prior to commencement.
20. Details of the implementation, maintenance and management of the strategy for the disposal of surface water prior to commencement.
21. Submission of surface water drainage verification report with 28 days of completion.
22. Details of a Construction Surface Water Management Plan (CSWMP) prior to commencement.
23. Unexpected contamination.
24. Submission of programme of archaeological works prior to commencement.
25. Post investigation archaeological works prior to occupation.
26. Landscaping scheme to be completed in the first planting season from the completion of the last building shell.
27. Details of a management and maintenance plan for the Open space prior to occupation.
28. Details meeting Part M Requirements submitted prior to commencement.
29. Development undertaking in accordance with ecological avoidance, mitigation, compensation and enhancement measures compliance.
30. No removal of hedgerows trees etc between 1st March and 31 August.
31. Submission of a lighting strategy for biodiversity prior to work above slab level.

32. Submission of landscape and ecological management plan prior to occupation.
33. Submission of Ecological Enhancement Strategy prior to work above slab level.
34. Details of fire hydrants prior to occupation.
35. Details of play equipment prior to occupation.

Background Papers

See application reference DC/21/2679/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 8 February 2022

Application no DC/21/3894/OUT

Location

Land To The Rear Of
1 Cullcott Close
Yoxford
IP17 3GZ

Expiry date 10 October 2021

Application type Outline Application

Applicant Parker Planning Services

Parish Yoxford

Proposal Outline Application - (Some Matters Reserved) for up to 5no. dwellings including means of access

Case Officer Natalie Webb
07825 754344
natalie.webb@eastsoffolk.gov.uk

1. Summary

- 1.1. This application seeks outline planning permission, with only access to be considered for the erection of up to five dwellings on land to the rear of 1 Cullcott Close, Yoxford, IP17 3GZ.
- 1.2. This application is presented to the planning committee as East Suffolk Council is landowner of a small section of verge which runs adjacent to the proposed access. During the determination of the application, works have been undertaken along this verge without East Suffolk Council's consent. East Suffolk Council have since been notified as landowner under the relevant certificates.
- 1.3. The site is located outside of the Settlement Boundary for Yoxford and is therefore in the countryside for planning purposes, where new housing development will only be permitted where it is supported by policies within the Local Plan or where it is considered necessary in the countryside. Having assessed the application against the adopted plan policies the principle of development is considered to be contrary to SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4. The

principle of development has not been found acceptable in this instance; therefore, it is considered that the potential harm of the development to the rural setting outweighs any limited benefit that the development would provide.

1.4. Additionally, the application site is comprised of an area of approximately 0.95ha which is currently paddock land (including stables, an all-weather riding arena, workshop and ancillary outbuildings) associated with no. 1 Cullcott Close. The proposal to erect up to five dwellings would be a form of tandem backland development which is poorly related to the adjoining properties, out of character with the area, and would be detrimental to the amenity of existing and future residents. The scheme is therefore contrary to the NPPF, and Local Plan Policy SCLP11.2 which seek to resist backland development proposals which would detrimentally affect residential amenity. The scheme is contrary to the Development Plan and as identified in this report, there are no material considerations of collective weight that would indicate for a decision other than refusal.

1.5. For these reasons the application is recommended for refusal.

2. Site Description

2.1. The site is adjacent the existing settlement boundary for Yoxford, which is identified as a 'larger village' within the settlement hierarchy (SCLP3.2). The site is approximately 50m to the east of the A12 which runs north-south. Yoxford Conservation Area is located to the east of the site, following the boundary of Rookery Park, one of three historic parklands in Yoxford. There is vacant land to the north and south of the site.

2.2. The application form notes the site location as land to the rear of 1 Cullcott Close, however the site is located behind numbers 1, 3, 5, 7 and 9 Cullcott Close and Hedgehogs Bungalow, Kingsway and Tonamar which front onto the A12 and are to the west of the site.

2.3. The site levels are higher than those within Cullcott Close. The application site is situated within Flood Zone 1 and therefore at the lowest risk of flooding. Public right of way 21 runs along the northern boundary of the site.

2.4. The site is an area of approximately 0.95ha which is currently paddock land associated with no. 1 Cullcott Close. Within the site are stables, an all-weather riding arena, a workshop and ancillary buildings. The remainder of the site is fenced paddock land. Access is via a track to the north of 1 Cullcott Close.

3. Proposal

3.1. The proposed development is for the erection of up to five dwellings and means of access from Cullcott Close. The application includes an indicative layout and house types, which suggest that the development would comprise of five bungalows (which would have a maximum height of 6.196m). As the application seeks outline consent with some matters reserved (access to be considered) details relating to design, scale, landscaping and layout are subject to consideration at a reserved matters stage. However, given that the proposed access layout is detailed and essentially 'fixed' within any subsequent layout. It is therefore expected that any

reserved matters application would therefore be designed around the detailed access arrangement.

- 3.2. This application follows pre-application advice DC/20/4964/PREAPP where officers advised that the principle of development would be considered contrary to adopted policies.
- 3.3. During the application, the agent was advised that the proposal would not be supported and was recommended for refusal. However, the agent wished to overcome highways matters prior to determination. Subsequently an array of additional information was submitted between 21 October and 16 December 2021.

4. Consultations/comments

- 4.1. Approximately 42 representations were received throughout the determination of the application, (some are multiple representations from the same household) which object to the application on the following grounds (inter alia):

- Access
- Boundary issues
- Building work
- Contamination
- Dominating/Overbearing
- Drainage
- Fear of Crime
- Flooding
- Inappropriate in conservation area
- Landscape impact
- Light Pollution
- Loss of open space
- Loss of outlook
- Loss of Privacy
- Loss of view
- Noise
- Over Development
- Over Shadowing
- Overlooking
- Property Value
- Safety
- Scale
- Security
- Smells
- Traffic or Highways (including parking concerns)
- Trees
- Wildlife

- 4.2. Whilst 'loss of view' and 'property value have been noted as a reasons for objection, they are not material planning considerations.

4.3. One additional representation of support was received from an address in Woodbridge.

4.4. The above is a summary of comments received; full comments can be viewed on the Council's public access page.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Yoxford Parish Council	19 August 2021	9 September 2021
<p><i>"YPC strongly opposes this application on the following grounds:</i></p> <p><i>1. Access – the access proposed is entirely unsatisfactory on the basis of traffic and road/public safety issues:</i></p> <p><i>(a) The Site was previously considered under East Suffolk's Strategic Housing and Economic Land Availability Assessment (SHELAA), but was rejected on the grounds of access and no further consideration was then given to the suitability of the Site for development;</i></p> <p><i>(b) The access proposed to the Site is from the A12 to Cullcott Close and then down the north side of 1 Cullcott Close utilising an existing access track. The layout plan submitted with the application claims that the new vehicular access will be 4.5m wide. Even if this were legally and practically possible to achieve, it would not be a suitable access to the Development for cars (16 car spaces are to be provided as part of the Development) plus delivery and refuse collection vehicles. At 4.5m width, this does not allow 2 vehicles to pass safely;</i></p> <p><i>(c) YPC are of the view that the width of 4.5m shown for the access on the layout drawing is wrong. Achieving that width, would involve the development including part of East Suffolk's own freehold land (Land Registry title number SK329817) which includes the existing public footpath;</i></p> <p><i>(d) The layout plan shows the access road having one footpath only on the north side and the Development proposes to utilise the existing public footpath for this purpose. No details are provided as to how this is to be achieved. No separation or physical barrier is shown between the vehicular access and the public footpath and with such a narrow access for vehicles, there is the potential for death or serious injury to pedestrians.</i></p> <p><i>2. The Site is not allocated for development in the adopted Local Plan;</i></p> <p><i>3. The Site should not be considered for potential development under The National Planning Policy Framework (July 2021) - Suffolk Coastal Local Plan (September 2021) Policy SCLP5.4 - Housing in Clusters in the Countryside In the view of YPC: * The Site does not comply with the 'group of existing dwellings adjacent to an existing highway' criteria required of Policy SCLP5.4. Whilst it may be considered as an application "for up to five dwellings within a cluster of at least ten existing dwellings", the Development would not be well related to Yoxford as a "Large Village"; * The Development does not consist of "infilling within a continuous built up frontage", and is not "in a</i></p>		

*clearly identifiable gap within an existing cluster, or .. otherwise located adjacent to existing development on two sides”; * The Development does represent an unacceptable extension of the built-up area into the surrounding countryside beyond the existing extent of the built-up area surrounding, or adjacent to, the Site; and * The Development will undoubtedly cause undue harm to the character and appearance of the cluster and result in harmful visual intrusion into the surrounding landscape.*

4. The Site is outside the defined village settlement. From a planning point of view it is to be treated as an application for development in the open countryside;

5. It is outside the original Conservation Area and also outside the recently extended Conservation Area. It adjoins Rookery Park which is in the extended Conservation Area and which also is identified in the Local Plan as being of District wide significance and has the status of Non- Designated Heritage Asset;

6. Impact on residents of Cullcott Close - so far as they are concerned, this is a development in open countryside of rear open land between the Cullcott Close development and Historic parkland. Not only is this unsatisfactory from a visual and (in view of the rising ground level) from an overlooking point of view, but will also cause the residents an unacceptable increase in the levels of traffic and other noise and light pollution;

7. Landscape – the Development will create an adverse impact by way of visual intrusion on the Rookery Park historic landscape which is of considerable importance to Yoxford.”

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	19 August 2021	1 October 2021
<p>Summary of comments:</p> <p>Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:</p> <ul style="list-style-type: none">- Obscured visibility at junction with Cullcott Close- Access widths not meeting standards and NPPF.- Lack of pedestrian connectivity to accord with the NPPF and PRoW comments. <p>The junction arrangement of the proposed new access onto Cullcott Close appears to be very tight and forward visibility to vehicles on Cullcott Close is partially obscured by a bund and planting. I would recommend that a swept path analysis drawing to demonstrate if vehicles can pass each other at this junction is supplied in the application to demonstrate the access is safe and fit for all user types.</p> <p>Carriage way is annotated at being 4.5 metres wide with a 1.2 metre wide footway. This carriage way and footway arrangement is boarded with a fence immediately adjacent to them. This does not give any clearance to wing mirrors or any opportunity for pedestrians to step out of the way of</p>		

other pedestrians without stepping into the carriageway. And whilst manual for streets states 1.2 metres is suitable for an adult and child this would not allow for an mobility vehicle/ wheelchair and a person to pass on the footway especially immediately adjacent to a fence. The Suffolk design guide and manual for streets paragraph 6.3.23 recommend 2 metres minimum for a footway. This footway therefore does not provide for inclusive mobility and is contrary to the NPPF. The carriageway should have at least half a metre clearance before solid objects, for example a fence, to enable wing mirrors to over-sail and prevent the vehicles from moving into the middle of the carriageway.

It is not clearly shown how the footway from this development is to link into the existing footway facilities on the other side of the road of Cullcott Close. This will also be contrary to NPPF paragraph 110b, as it is not suitable for all road users and does not promote alternative transport modes.

The access arrangement with a number 1 Cullcott Close does not meet standard access design criteria and is ambiguous in its design. The existing kerb line between 1 Cullcott Close and the existing track is to be removed and gives little protection to the dark railings that are adjacent to the carriageway.

The proposed access road would not meet our adoptable standards on width lack of service maintenance strips, footway widths and materials used to state a few examples.

Non statutory consultees

Consultee	Date consulted	Date reply received
Ward Member	N/A	6 October 2021
Summary of comments: Comments were received from the Ward Member (Cllr Burroughes) which neither supports nor objects to the proposed development. The comments requested that the application was determined by the Planning Committee due to the level of local concern.		

Consultee	Date consulted	Date reply received
SCC Fire and Rescue Service	N/A	27 August 2021
Summary of comments: Informative information in respect of access to water supply and fire fighting facilities.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	19 August 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	19 August 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	19 August 2021	23 August 2021
Summary of comments: Recommends a condition for the unexpected discovery of land contamination.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	19 August 2021	6 September 2021
<p>Summary of comments:</p> <p>The proposed site does contain a public right of way (PRoW): Yoxford Public Footpath 21.</p> <p>The applicant has met with the Area Rights of Way Officer on site and is aware that the site contains Yoxford Public Footpath 21:</p> <ul style="list-style-type: none"> • An accurate plot of Yoxford Public Footpath 21 is required on all plans to illustrate how the footpath is to be accommodated with the proposed development. • A detailed plot of public rights of way can be provided. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service. • If this development is approved then Footpath 21 must be clearly segregated from the vehicular access to ensure safe passage for users of the footpath and avoid any conflict with vehicles. • The applicant has been advised that this could be addressed with fencing, but if that was done then close attention must be given to bullet point 6 below: - any fencing is placed a minimum of 0.5m from the edge of the public right of way. - In addition, please note that any planting must be a minimum of 1m from the edge of the public right of way. • The surface of Footpath 21 is to remain natural. <p>SCC PRoW also included their general advice and developers responsibilities in respect of works which affect a public right of way within their response.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	19 August 2021	20 September 2021
Summary of comments: Comments received and incorporated into officers report.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	25 August 2021	No response
Summary of comments: No response received.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Yoxford Parish Council	N/A	4 November 2021

Objections by Yoxford Parish Council ("YPC") to submission of amended plans for planning application DC/21/3894/OUT – outline application for up to 5 dwellings including means of access ("Development") – land to the rear of 1 Cullcott Close, Yoxford ("Site").

The amended plans were submitted under cover of a letter from the Applicant's agents Parker Planning Services to ESDC dated 21 October 2021. The letter includes the following paragraphs which appear on the face of them to be incorrect and misleading:

1. "As per correspondence within Appendix 1 to the Planning, Design and Access Statement (Parker Planning Services August 2021), the applicant has already had correspondence with Suffolk County Council PROW with regards the shared public footpath/ vehicular access to the application site. Scheduled works to widen the access, allowing for a segregated footpath were completed on the weekend of 16th and 17th October, 2021."

YPC would like ESDC to make direct contact with SCC PROW officer to verify the correspondence with the applicant, and also for the applicant to clarify what it means by the "shared public footpath/vehicular access to the application site" and, in relation to "Scheduled works to widen the access", why works were carried out before a planning permission has been granted and also with whom were these works agreed, in particular, why was the public right of way blocked for a weekend during the carrying out of those works without the permission of the relevant PROW officer.

2. "The clearance and widening of the existing access route of Yoxford Footpath 21 has been inspected by both the Ground Manager at Norse (contractors who undertook the works) and Ms. Claire Dickson Suffolk County Council Area Rights of Way Officer. We also understand that Ben Chester at SSC has been appraised of the works, which should assist with the upcoming re-consultation." YPC would like ESDC to clarify the reference to Norse as being the contractors who undertook the works, and also to verify whether any inspection by either Norse or Claire Dickson has taken place and in what capacities.

The applicant has, since the date of the original application, without any relevant permission or consent, removed the trees and shrubs on either side of the section of the public right of way (Footpath 21) adjoining the Site; removed trees and shrubs on part of the adjoining land of ESDC; erected a new boundary fence on land belonging to ESDC thereby claiming as part of the Site and under the control of the applicant, a long thin triangle of land approximately 40m in length and 1.5m wide at the north-western end of the triangle.

Having carried out all of the above work, the revised plans are attempting to demonstrate that a widened 4.5m access drive can now be provided alongside (but segregated from) a realigned 1.5m Footpath 21. This can only be achieved by unlawfully claiming part of the adjoining land of ESDC and realigning Footpath 21 without any formal proposal for statutory diversion.

Our planning objections to the original application remain, but in view of the work carried out since the date of the original application, YPC do not consider that the application can be lawfully determined unless and until the points we have raised are satisfactorily dealt with.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	26 October 2021	9 November 2021

Summary of comments:

We OBJECT to this proposal for the following reasons:

We previously responded to this application on 6 September 2021 and advised that Yoxford Public Footpath 21 had to be accurately plotted on all plans. We are not satisfied that this has been done.

Drawing No. 210498-01, Drawing No. 210498-02, and plan LDA-227-02B all indicate a realignment of Yoxford Public Footpath 21 depicted in green shade. Any change in the definitive alignment of the public right of way can only be achieved with an official diversion, even if the intended diversion is minor. There has been no request to divert this public right of way.

Drawing No. 210498-01 labels a 'Low lying fence (1.0m in height, or lower) provided to segregate the access drive and footpath, whilst not impacting on vehicle wing mirror overhang'. We have concern over what this means – if it means a car's mirror could overhang the fence onto the footpath then that is unacceptable.

Drawing No. 210498-01 depicts the public right of way as 1.5 m wide with a fence immediately adjacent. As per our previous response any fencing must be a minimum of 0.5m from the edge of the public right of way. In addition, any planting must be a minimum of 1m from the edge of the public right of way. This effectively creates a footpath within a minimum 3m wide corridor. We are not satisfied there is space within the access drive to provide such widths.

At no point is the footpath to be blocked or obstructed even on a temporary basis whilst any works occur. If a closure is required a formal application for closure will need to be sent to pro.w.east@suffolk.gov.uk which can take a few weeks to process.

SCC PRow also reincluded their general advice and developers responsibilities in respect of works which affect a public right of way within their revised response.

Consultee	Date consulted	Date reply received
SCC Highways Department	26 October 2021	26 November 2021

Summary of comments:

Notice is hereby given that the County Council as Highway Authority make the following comments:

These comments are made as a follow on to my previous comments and amended plans submitted on the 24 November 2021.

- The issue of the close boarded fence to one side of the carriageway is still an issue and will mean that this road will not be considered for adoption by Suffolk County Council as the highway authority for the reasons as set out in my previous response dated 30th September 2021. Any signage on this road coming forward should clearly state that it is a non-adopted road.
- I welcome the footway leading from the development to link into Cullcott Close, however it is still not demonstrated as to how this links into wider footway links. For example the 1.5m footway reduces to 1.2m then joins onto a 1m service strip that forms part of the existing adopted highway. It would be beneficial if this link carried on at a width of 1.5m and link into Main Road.
- The amended access design whilst widened, a tracked path plot of vehicles entering the access and demonstrating that they can pass has not yet been provided to demonstrate that vehicles for example LGV's grocery deliveries vans etc can pass at the proposed access junction?
- The access and footway layout is also a straight crossover on one plan, and does not have any tangents to allow vehicles to enter and not mount the kerb, again a tracked path plan will be required to demonstrate if this can be achieved.
- The access plans submitted do not show red line boundaries and have different dimensions indicated for carriageway widths?
- If this remains a non adopted road, how will refuse trucks collect refuse and where will bins be presented that will not block and highway, rights of way, private drives or visibility?

Consultee	Date consulted	Date reply received
SCC Rights Of Way	N/A	01 December 2021

Summary of comments:

As highlighted in previous responses the proposed site contains Yoxford Public Footpath 21. Our previous objection to this consultation related to a failure to depict the definitive alignment of Yoxford Public Footpath 21. This has now been addressed in the amended plans and we remove our objection.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	10 December 2021	20 December 2021

Summary of comments:

The Applicant is aware that the proposed site contains a public right of way (PROW): Yoxford Public Footpath 21, and we would make the following comments on this latest consultation:

- The green section labelled 'Segregated footpath' should be a bound surface. . Maintenance of the hedge should be Conditioned.
- A 2-way public right of way finger post must be erected where Yoxford Public Footpath 21 meets the access footway.
- Detailed plans must be presented to show how the eastern end of the access affects Yoxford Public Footpath 21.

Further advice was provided in respect of the applicants responsibilities for development within the vicinity of a PROW.

Consultee	Date consulted	Date reply received
SCC Highways Department	10 December 2021	24 January 2022

Summary of comments:

With the latest plans (210498-01D, Sheets 1-3 received 16 December 2021), previous comments relating to the adoptable highway have been addressed enough to provide a response in terms of planning. Notice is hereby given that the County Council as Highway Authority recommends that any permission includes the condition outlined in the response received 24 January 2022.

6. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Adjacent to Conservation Area	2 September 2021	23 September 2021	East Anglian Daily Times

Category	Published	Expiry	Publication
Conservation Area	26 August 2021	17 September 2021	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Adjacent to Conservation Area Date posted: 27 August 2021 Expiry date: 20 September 2021
---------------------	--

General Site Notice	Reason for site notice: Conservation Area Date posted: 20 August 2021 Expiry date: 13 September 2021
---------------------	--

7. Planning policy

National Planning Policy Framework 2021

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.3 - Housing Development in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.4 - Housing in Clusters in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.6 - Non-Designated Heritage Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.8 - Parks and Gardens of Historic or Landscape Interest (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

8. Planning considerations

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Suffolk Coastal Local Plan (covering the former Suffolk Coastal Area) was adopted on 23 September 2020.
- 8.2. Paragraph 47 of the NPPF states “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”
- 8.3. Paragraph 10 of the NPPF reinforces that the heart of the Framework is based on a presumption in favour of sustainable development, with Paragraph 11 further confirming that permission should be granted unless there are any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.4. East Suffolk Council’s Statement of Housing Land Supply (covering 01 April 2021 to the 31 March 2026) concludes that a five-year supply of housing land can be demonstrated as follows:
- The statement confirms that the Suffolk Coastal Local Plan area of East Suffolk has a housing land supply of 6.52 years.
 - The statement confirms that the Waveney Local Plan area of East Suffolk has a housing land supply of 5.74 years.
- 8.5. A copy of the Statement of Housing Land Supply can be viewed online at <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/open-data/housing-land-supply/>.
- 8.6. In this instance there are no material considerations as to why the policies within the recently adopted Local Plan should not be considered when determining the application, or why the application should be found acceptable as a departure from those policies.

Principle of Development:

- 8.7. The East Suffolk (Suffolk Coastal) Local Plan was adopted toward the end of 2020 and represents (along with any neighbourhood plans) the Development Plan for the District.
- 8.8. The spatial strategy of the Local Plan is to generally direct housing growth to defined settlements identified by SCLP3.3 Settlement Boundaries and the accompanying policies maps.

- 8.9. The application site was put forward for consideration as part of the Local Plan 'call for sites' where it was identified that the site was potentially suitable for development (noted as being for 15 dwellings, where the proposal is for five dwellings), but discounted because of issues related to access. It is common practice for a large number of sites to be presented for consideration within Ultimately, the site was not incorporated into the Yoxford settlement boundary, and it is not allocated for housing development within the Local Plan.
- 8.10. For planning purposes, it is therefore a countryside location, and it turns to other policies within the Local Plan which allow for limited housing growth in such locations, subject to certain criteria and controls.
- 8.11. Local Plan Policy SCLP12.34 outlines the strategy for the rural areas of the district. SCLP12.34(c) is most applicable to the proposal, as this criterion seeks to deliver "The provision of new housing which contributes to providing a mix of housing choice in rural areas and helps to sustain rural communities, including through allocations in or well related to Large Villages and Small Villages." This policy was considered under recent appeals APP/X3540/W/20/3245440 and APP/X3540/W/20/3256782 to be an "overarching policy" which sets out the policy for the rural areas, rather than one which underpins the principle of development. As such SCLP12.34 is not intended to be considered in isolation from the other plan policies. The proposal would therefore need to accord with the exceptions for where new development in the countryside is considered acceptable.
- 8.12. The key policy is Policy SCLP5.3: Housing Development in the Countryside, which sets out that outside of the defined Settlement Boundaries, new residential development will be limited to:
- a) Affordable housing to meet identified local needs on exception sites adjacent to, or well related to, Settlement Boundaries or clusters of housing in the countryside (in accordance with Policy SCLP5.11 and Policy SCLP5.4);
 - b) Limited development within existing clusters (in accordance with Policy SCLP5.4);
 - c) Replacement dwellings on a one to one basis where these are no more visually intrusive in the countryside than the building to be replaced;
 - d) Subdivision of an existing larger dwelling;
 - e) Conversion of an existing building (in accordance with Policy SCLP5.5);
 - f) Rural workers dwellings, where there is an essential need for a rural worker to live permanently at or near their place of work (in accordance with Policy SCLP5.6);
 - g) Other residential development consistent with policy on residential development in the countryside contained in the National Planning Policy Framework.
- 8.13. Having assessed the proposed development against policies SCLP5.4, SCLP5.5, SCLP5.6, and SCLP5.11, these policies do not lend support to the principle of development. The proposal is open market dwellings on a site within the countryside, that does not form a gap within a cluster of existing development. Whilst SCLP5.4 does allow for new development within clusters in the countryside, the site would fail to meet the definition of a 'cluster' which must consist of a continuous line or close group of ten (as five dwellings are sought) existing dwellings adjacent to an existing highway. Appeal decision APP/X3540/W/20/3251575 was dismissed as the proposed development was not considered to consist of infilling within a continuous built-up frontage. Other recent appeals APP/X3540/W/20/3252036 and APP/X3540/W/20/3249337 have also established that dwellings within the settlement boundary do not form part of the cluster. As such, all dwellings to the west of the site which are within the settlement boundary

do not form part of the cluster. Furthermore, SCLP5.4 requires developments of more than three dwellings to demonstrate that meaningful and effective community engagement has taken place in the development of the scheme and that the mix of dwellings proposed would meet locally identified needs. No evidence has been provided which confirms that this has been done.

8.14. Accordingly, the starting point is that this proposal is contrary to the Local Plan Policies, as such the principle of development is not considered acceptable.

Highways Safety and Public Rights of Way:

8.15. Suffolk County Council (SCC) as Local Highways Authority (LHA) initially recommended that permission be refused for the following reasons:

- Obscured visibility at junction with Cullcott Close
- Access widths not meeting standards and NPPF.
- Lack of pedestrian connectivity to accord with the NPPF and PRoW comments.

8.16. The full concerns raised by the highways authority can be viewed in their responses above.

8.17. However, following the submission of revised plans, as of their response dated 24 January 2022, Suffolk County Council as Highway Authority have confirmed that following the submission of the latest plans, previous comments relating to the adoptable highway have been addressed enough to provide a response in terms of planning. The highways authority has therefore recommended a number of conditions with any grant of permission, including:

- Access to accord with drawing 210498-01 Rev D
- Refuse/Recycling details
- Construction management plan
- Surface water drainage details
- Details of estate roads and footpaths
- Parking provision
- Secure cycle storage details
- Offsite highways improvements
- Delivery of visibility splays and removal of permitted development rights within them

8.18. As noted above, the proposed site does contain a public right of way (PRoW): Yoxford Public Footpath 21. Whilst it is appreciated that the proposal is in outline form, where the overall layout of the site is not formally being considered, the response from SCC PRoW team requests that the PRoW is included on all plans to illustrate how the footpath would be accommodated within the proposed development site. The PRoW response noted that footpath 21 must be clearly segregated from the vehicular access to ensure safe passage for users of the footpath and avoid any conflict with vehicles.

8.19. The PRoW team initially raised concerns and subsequently objected to the proposed development, as Public Footpath 21 was not accurately plotted on all plans, further noting that:

- Drawing No. 210498-01, Drawing No. 210498-02, and plan LDA-227-02B all indicate a realignment of Yoxford Public Footpath 21 depicted in green shade. Any change in the definitive alignment of the public right of way can only be achieved with an official diversion, even if the intended diversion is minor. There has been no request to divert this public right of way.
- Drawing No. 210498-01 labels a 'Low lying fence (1.0m in height, or lower) provided to segregate the access drive and footpath, whilst not impacting on vehicle wing mirror overhang'. We have concern over what this means – if it means a car's mirror could overhang the fence onto the footpath then that is unacceptable.
- Drawing No. 210498-01 depicts the public right of way as 1.5 m wide with a fence immediately adjacent. As per our previous response any fencing must be a minimum of 0.5m from the edge of the public right of way. In addition, any planting must be a minimum of 1m from the edge of the public right of way. This effectively creates a footpath within a minimum 3m wide corridor. We are not satisfied there is space within the access drive to provide such widths.

8.20. Additional information provided by the applicant on 16 December 2021 illustrates a segregated 1.5m wide pedestrian access adjacent to the 4.5m wide vehicular access (in addition to a 0.5m maintenance strip along the southern edge of the access drive).

8.21. This information was considered sufficient to overcome the PRoW objection, subject to conditions for the maintenance of the hedge adjacent to the footpath; the 'segregated footpath' should be finished in a bound surface; correct signage to mark the right of way and detailed plans as part of any reserved matters to show how the eastern end of the access affects Yoxford Public Footpath 21.

8.22. These conditions are in addition to those suggested by the highway's authority. With both sets of conditions applied, Suffolk County Council as Local Highways Authority and Public Rights of Way team are satisfied that the access and footway arrangements are acceptable.

Landscape, Historic Parkland, and Conservation Area Impact:

8.23. Within the Local Plan there are 17 historic parklands, three of which are located in Yoxford; Cockfield Hall Park, Grove Park and Rookery Park, which is adjacent to the application site. These all have the status of non-designated heritage assets. East Suffolk Council will encourage the preservation and enhancement of these parks and gardens of historic interest and their surroundings.

8.24. Proposals affecting or within the designated and non-designated parks and gardens will be required to be accompanied by landscape design and management proposals, to ensure a high level of design, mitigation and enhancement is achieved.

8.25. The Council's Landscape Manager has reviewed the proposal and has raised a holding objection due to insufficient/inaccurate information in respect of the existing trees within the site.

8.26. From the topographical survey plan there appears to be existing trees on site, and aerial photos confirm this. Existing trees in excess of those shown on the topographical plan are

shown on the indicative site layout plan so in this respect there is no clarity as to exactly what trees are on site, which are included for retention and what condition they are in. Without any form of tree survey or arboricultural impact assessment which is to a BS5837:2012 Trees in Relation to Design, Demolition and Construction standard, it is considered that the potential impacts of the development cannot be fully assessed.

- 8.27. It is noted that the application is in outline, where details of landscaping are subject to reserved matters. However as noted above, due to detailed access arrangements, any subsequent layout is likely to be limited to that illustrated on the indicative layout plans.
- 8.28. The site presently forms a largely undeveloped area which provides a buffer between the development in Cullcott Close/A12 and the historic parkland.
- 8.29. The application is accompanied by a Heritage Impact Assessment (HIA) which is considered to accord with the requirements of paragraph 194 of the NPPF. The application site does have some historical connection to the locally listed parkland at Rookery Park, but this would remain evident from the researched record, even if was developed in the manner suggested. Further, the addition of built form in an area of extant built form within the village, will not essentially alter the character of the surroundings to this part of the Yoxford Conservation Area. This conclusion would be different if the development represented an isolated pocket of built form in the Conservation Area's setting which had always previously been undeveloped, and which was surrounded by undeveloped land. The Council's Design and Conservation Team have not raised any concerns regarding adverse heritage impacts arising from this proposal.

Ecology & RAMS:

- 8.30. The application is accompanied by an Ecology Report, undertaken by Wild Frontier Ecology (dated August 2021). The report concludes that the development poses low risks of impacting most protected and valued species due to the unsuitability of the existing habitats and expected avoidance of the site by such species. For the small number of protected and valued species which could feasibly occur on or close to the site, the risks of negative impacts can all be satisfactorily addressed by adopting the advised mitigation measures within the report. Specifically, this includes an EPS licence or DLL for GCN which are confirmed present in a nearby pond. The mitigation and enhancement measures outlined with the report would be controlled by condition.
- 8.31. The development site is within the recreational disturbance Zone of Influence for Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). Habitats Regulations Assessment of the Local Plan has identified that new residential growth in East Suffolk will result in increased recreational disturbance on Habitats Sites. The in-combination effect of this new growth will, in the absence of adequate mitigation measures, result in an adverse effect on the integrity of Habitats Sites in East Suffolk.
- 8.32. The Suffolk Coast RAMS provides strategic mitigation measures to address this impact. To fund this mitigation financial contributions are collected from new developments. In order to conclude that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites the relevant financial contribution to the strategy is required to be secured prior to determination. The required contribution has been secured. The proposal is therefore considered to accord with SCLP10.1.

Residential Amenity:

- 8.33. Noting that the scheme is in outline form, where details of appearance, scale and layout are subject to consideration at a reserved matters stage, there are concerns about the impact of the proposed development on the properties which back on to the development site, due to the changes in levels. The site levels are higher than those on Cullcott Close which means that any development of the site would need to carefully consider orientation, location, height, and massing of any dwellings; in addition to any boundary treatments.
- 8.34. From the site looking back towards Cullcott Close the land levels are on par with those of the first-floor of the adjacent dwellings. The levels continue to rise towards the historic parkland.
- 8.35. The proposed properties are indicated to be single-storey but would essentially have a similar height to the existing dwellings in Cullcott Close, resulting in loss of privacy or overlooking. The change in levels will also give a sense of dominance to the proposed dwellings, which would be unneighbourly and, depending on final layout and scale, could impact access to daylight/sunlight, particularly if new boundary treatment was proposed adjacent to these properties.
- 8.36. There would also be an increase in noise from the development post construction, although this is likely to be no more than expected for a residential development. There are also concerns regarding the intensification of the proposed access adjacent to 1 Cullcott Close, which will run behind the existing cul-de-sac, noise from car movements may also impact amenity of existing residents.
- 8.37. When considering the impact of development on residential amenity, in accordance with SCLP11.2, the Council will have regard to the following:
- a) Privacy/overlooking;
 - b) Outlook;
 - c) Access to daylight and sunlight;
 - d) Noise and disturbance;
 - e) The resulting physical relationship with other properties;
 - f) Light spillage;
 - g) Air quality and other forms of pollution; and
 - h) Safety and security.
- 8.38. Development will provide for adequate living conditions for future occupiers and will not cause an unacceptable loss of amenity for existing or future occupiers of development in the vicinity. In this instance, it is considered that the proposed development would result in harm to neighbouring amenity, contrary to SCLP11.2.

9. Conclusion

- 9.1. This application seeks outline planning permission, with only access to be considered for the erection of up to five dwellings on land to the rear of 1 Cullcott Close, Yoxford, IP17 3GZ.

- 9.2. Whilst there would be some limited benefits in permitting the development, such as the creation of jobs through construction, potential boost to local businesses and economy and boosting the local housing supply, these benefits, collectively, are limited in weight and not sufficient to overcome the conflict with the policies in the Development Plan.
- 9.3. The site is located outside of the Settlement Boundary for Yoxford and is therefore in the countryside for planning purposes, where new housing development will only be permitted where it is supported by policies within the Local Plan or where it is considered necessary in the countryside. Having assessed the application against the adopted plan policies the principle of development is considered to be contrary to SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4. The principle of development has not been found acceptable in this instance; therefore, it is considered that the potential harm of the development to the rural setting outweighs any limited benefit that the development would provide.
- 9.4. The application site is comprised of an area of approximately 0.95ha which is currently paddock land (including stables, an all weather riding arena, workshop and ancillary outbuildings) associated with no. 1 Cullcott Close. The site includes a number of trees, noted on the topographical survey plan (LDA-227-01B). Existing trees in excess of those shown on the topographical plan are shown on the indicative site layout plan so in this respect there is no clarity as to exactly what trees are on site, which are included for retention and what condition they are in. Without any form of tree survey or arboricultural impact assessment which is to a BS5837:2012 Trees in Relation to Design, Demolition and Construction standard, it is considered that the potential impacts of the development cannot be fully assessed. Given that the layout is likely to be relatively fixed, due to the proposed detailed access arrangements. The indicative layout outlines that up to five dwellings would be erected in the form of tandem backland development which is out of character with the area. The development would inevitably result in an inward-looking development which has poor connectivity with the existing development form, contrary to SCLP11.1.
- 9.5. Furthermore, the application would be detrimental to the amenity of existing and future residents. Due to the changes in levels between the application site and Culcott Close/A12 the new dwellings, although indicated to be single-storey, would be overbearing and dominating to the adjoining development. This would also result in the loss of privacy, outlook and potentially loss of light to the existing dwellings adjacent to the eastern boundary of the site. There would also be an increase in noise from the development post construction, whilst this will predominately be noise expected from a residential development, due to the location of the access, adjacent to 1 Cullcott Close, which will run behind the existing cul-de-sac, noise from car movements may also impact amenity of existing residents. It is therefore considered that the development would be detrimental to the amenity of existing and future residents. The scheme is therefore contrary to the NPPF, and Local Plan Policy SCLP11.2 which seek to resist backland development proposals which would detrimentally affect residential amenity.

10. Recommendation

- 10.1. Refuse planning permission.
- 10.2. The reasons for the decision to refuse permission are:

1. This application seeks outline planning permission, with only access to be considered for the erection of up to five dwellings on land to the rear of 1 Cullcott Close, Yoxford, IP17 3GZ. The site is located outside of the Settlement Boundary for Yoxford and is therefore considered to be in the countryside for planning purposes, where new housing development will only be permitted where it is supported by policies within the Local Plan or where it is considered necessary in the countryside. Having assessed the application against the adopted plan policies the principle of development is considered to be contrary to SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4. The principle of development has not been found acceptable in this instance due to the clear conflict with the Local Plan. This policy conflict, in addition to those detailed matters of concern set out in refusal reasons two and three, far outweighs any limited benefits that the development would provide.
2. The application site is comprised of an area of approximately 0.95ha which is currently paddock land (including stables, an all weather riding arena, workshop and ancillary outbuildings) associated with no. 1 Cullcott Close. The site includes a number of trees, noted on the topographical survey plan (LDA-227-01B). Existing trees in excess of those shown on the topographical plan are shown on the indicative site layout plan so in this respect there is no clarity as to exactly what trees are on site, which are included for retention, and what condition they are in. Without any form of tree survey or arboricultural impact assessment which is to a BS5837:2012 Trees in Relation to Design, Demolition and Construction standard, it is considered that the potential tree impacts of the development cannot be fully assessed. Although indicative, the layout is likely to be relatively fixed, due to the fundamental layout principles established by the detailed proposed access arrangements. The indicative layout outlines that up to five dwellings would be erected in a backland form of development that is out of character with the area. The development would inevitably result in an inward-looking development which has poor connectivity with the existing development form, contrary to SCLP11.1.
3. The proposed development would be detrimental to the amenity of existing and future residents. Due to the changes in levels between the application site and Culcott Close/A12 the new dwellings, although indicated to be single-storey, would be overbearing and dominating to the adjoining development. This would also result in the loss of privacy, outlook and potentially loss of light to the existing dwellings adjacent to the western boundary of the site. There would also be an increase in noise from the development post construction, whilst this will predominately be noise expected from a residential development, due to the location of the access, adjacent to 1 Cullcott Close, which will run behind the existing cul-de-sac, noise from car movements may also impact amenity of existing residents. It is therefore considered that the development would be detrimental to the amenity of existing and future residents. The scheme is therefore contrary to the NPPF, and Local Plan Policy SCLP11.2 which seek to resist backland development proposals which would detrimentally affect residential amenity.

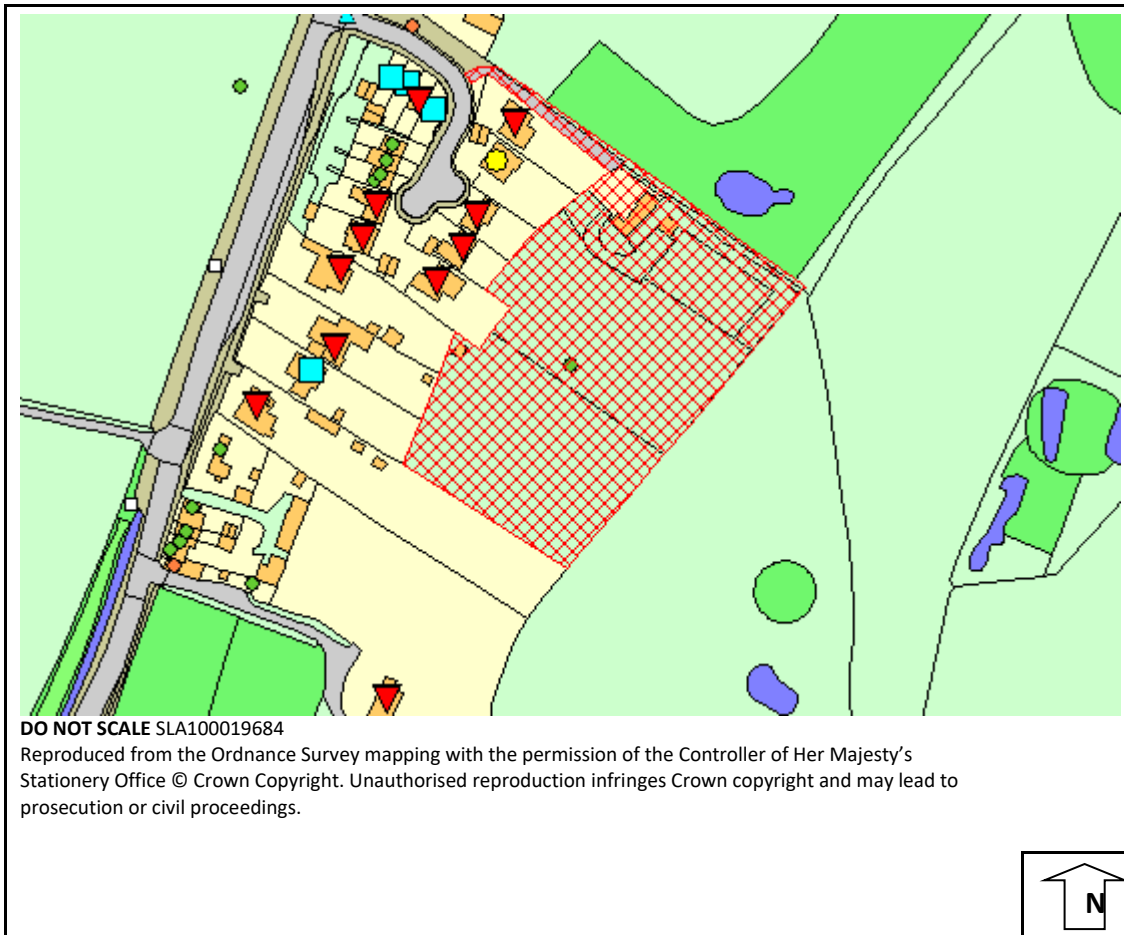
Informatives:

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.





Background Papers

See application reference DC/21/3894/OUT on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

Committee Report

Planning Committee North - 8 February 2022

Application no DC/21/5052/VOC

Location

1 Station Road
Southwold
Suffolk
IP18 6AX

Expiry date 4 January 2022

Application type Variation of Conditions

Applicant Southwold Town Council

Parish

Southwold

Proposal

Variation of Condition Nos 2 and 4 of DC/18/2406/FUL - The demolition of the existing buildings and re-development of the site to create a mixed use development consisting of flexible office space, retail units and residential accommodation - 2: Amendments required to the approved scheme to reflect market changes and to make the scheme viable as an Employment Hub following market testing. 4: Amendment requested to wording of car parking condition to allow for the area of the proposed car parking to have temporary surfacing to allow use as contractors parking for the duration of the contract with the final car park with its final kerbs, finishes, etc to be constructed as part of the construction project and to be ready by completion of the project / before occupation of the building. This to provide a contractors car parking area for the duration of the contract and avoid damage to the final finishes by such use during the construction project. Also, to allow time for co ordination with the proposed larger car parking provision within the site of the 10 spaces related to this development. In addition the 10 spaces are to be provided for the use of the users of the Employment Hub and the users will not be using this until they have occupied the premises so there is no advantage in having the final car park earlier.

2: Condition to be changed to replace list of previously approved drawings with amended drawings as included within this application to reflect amendments to the proposed scheme

4: Amendment requested to wording of car parking condition to allow for the area of the proposed car parking to have temporary surfacing to allow use as contractors parking for the duration of the contract with the final car park with its final kerbs, finishes, etc to be constructed as part of the construction project and to be ready by completion of the project / before occupation of the building

Case Officer

Michaëlle Coupe

07887 412295

michaëlle.coupe@eastssuffolk.gov.uk**1. Summary**

- 1.1 This application seeks to vary conditions 2 and 4 of planning consent DC/18/2406/FUL which granted planning permission for the demolition of existing buildings on the site and re-development consisting of flexible office space, retail unit and residential accommodation, on land at the junction of Station Road and Blyth Road, within Southwold's Conservation Area and within the settlement boundary of the town.

- 1.2 The application seeks to amend the drawings listed under condition 2 to allow some design and layout changes and to amend the wording of condition 4 to allow for the area of the proposed car parking to have temporary surfacing to allow use as contractors parking for the duration of the contract with the final car park with its final kerbs, finishes, etc to be constructed as part of the construction project and to be ready by completion of the project / before occupation of the building.
- 1.3 The application is presented to Planning Committee North at the request of the Head of Planning and Coastal Management. The original application (ref. DC/18/2406/FUL) was presented to Planning Committee because the application had generated significant local interest.
- 1.4 The recommendation is to approve the variation of conditions 2 and 4 as proposed on the basis that the proposed amendments are acceptable and will not significantly change the nature, character and appearance of the development and will accord with the Development Plan.

2. Site Description

- 2.1 The site lies on the corner of Station Road and Blyth Road at the northern end of the town and lies within the Suffolk Coast and Heaths AONB and Southwold Conservation Area. The site backs onto allotments and Southwold Common and adjoins a public right of way. Adjoining the site in Station Road is a three-storey terrace comprising commercial uses on the ground floor and residential units above. Adjoining the site on Blyth Road is a terrace of three Edwardian cottages. Directly opposite the site on Blyth Road is the former police station, beyond which was the former fire station.
- 2.2 Planning consent was granted in 2018 to demolish the existing buildings on the site, (comprising a shop, cycle hire and repair business and a car repair business) and erect two new buildings comprising a mix of offices, retail, café, and residential uses. The residential uses comprised two flats above offices towards the rear of the site. The approved buildings occupied a similar footprint to the existing buildings, retaining a central courtyard space over which the development had an outlook with two existing access points retained from Blyth Road and Station Road. Parking for the development comprising 10 spaces, was approved on land owned by the Millennium Trust to the north of the former fire station site, (approximately 165m away) and for which planning consent has been granted for use as a car park for the town. The development site included secure cycle storage and bin storage areas.
- 2.3 Works have commenced on demolishing the existing buildings and therefore the original planning permission has been implemented and thus extant.

3. Proposal

- 3.1 This application seeks to amend conditions 2 and 4 imposed on the planning consent. Condition 2 requires the development to be in compliance with the approved plans and condition 4 states:

Prior to development commencing (including demolition) the ten car parking spaces shown on approved drawing 304529-IW-DR-A-2205 Rev P3, shall have been laid out and made available

for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority. They shall thereafter be retained for the purposes of parking to serve the development hereby granted.

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

- 3.2 This application proposes changes to the layout and design of the development. The layout has been amended to omit one of the residential units and to re-position the remaining unit above the shop at the front of the site. The café has been omitted and the space used for offices. The overall footprint remains as approved. The building at the rear is now only single storey, it previously was part two-storey accommodating the residential units at first floor level. Various design amendments have been made as a result of the changes to the layout, largely in relation to the roofs and changes to the fenestration.
- 3.3 The applicants explain that the reasons for these changes are that the scheme seeks to create an employment hub with the flexibility to accommodate differing sized tenant groups which will change throughout the lifetime of the building. The tenant groups may vary from individuals wishing benefit from working in an environment with others and from the use of the reception and meeting facilities, up to tenants consisting of small groups of individuals who still wish to be located in a shared environment, to slightly larger groups who would like a more self contained form of accommodation. The objective of the scheme is to create a hub for innovation and joint working between individuals and groups. The original scheme which provided units which all had their own front doors and did not offer any shared facilities would not facilitate this shared working environment.
- 3.4 The applicant's further note another important consideration is flexibility to accommodate a range of tenant sizes both initially and which can be adjusted throughout the lifetime of the building to meet changing tenant requirements. The original approved scheme which consisted of fixed sized self contained units did not offer this flexibility. By locating shared facilities in Block 1 it has been possible to provide Building Regulations Part M compliant lift facilities to the upper floor along with Part M compliant WC facilities, hence creating an accessible environment which was not present in the original scheme as it was not viable to provide separate lifts for each of the self contained units.
- 3.5 The applicants explain that through discussions with potential operators of the facility it was identified that a minimum area of office related accommodation would need to be provided to create the rental levels required to make the scheme viable. The proposed scheme achieves this level of office related accommodation. However, this minimum area needed to be balanced with the available budget for the scheme. Achieving both of the above criteria necessitated the reduction of the residential accommodation from two flats to a single flat. Moving this flat from the upper floor of Block 2 to Block 1 in a location above the shop places the flat in a more logical location fronting Station Road and allowed the omission of the upper floor and related staircase within Block 2. The omission of the café and its replacement with office accommodation was also required to allow the creation of the required minimum viable area of office accommodation within the available budget.
- 3.6 Other budget savings involved looking at the external materials and details to establish whether a scheme could be produced which retained the essential character and quality of

the scheme but utilised a less diverse and simpler materials palette. Alternative approaches include: zinc roofing being replaced with plain and pantiles; some elements of timber boarding being replaced with render; replacement of double pitch roof to Block 1 with single ridge pitched roof; replacement of planters with ground level planting; replacing dormers with rooflights; and replacement of green roof with conventional flat roof finish.

4. Third Party Representations

- 4.1 Five representations have been received objecting to the application, including one from the Ward Member, Cllr David Beavan, who comments as follows:

"To describe this plan as mixed use is stretching a point with one shop, one flat and 93 co-working spaces. There is no acknowledgement of the market demand for three person offices or workshops. Instead we have more co -working spaces to add to 30 already being provided at the old Hospital site who will also park down here. Are 10 car parking spaces enough for 123 co-workers? The original plan to provide a first floor all round has been dropped due to a lack of funds, and more desks have now been crammed into a smaller space in a vain effort to meet the minimal requirements of a possible operator who has not yet been confirmed. At the same time the space available for each desk has now been minimized as well. Whilst the economic viability of this plan may not be a material consideration and the buck will pass to Southwold Town Council, East Suffolk's business department are heavily involved in this project. Not only will local ratepayers be landed with a heavy bill, but also an unwanted monument to the failure of local government generally."

- 4.2 Other key concerns raised in representations of objection include:

- Overdevelopment of the site;
- Insufficient parking to serve the 93 workers;
- No EV charging points;
- Mundane design that does not reflect architecture of adjacent buildings;
- Lacks energy efficient measures;
- No realistic business plan, its viability should be reviewed;
- The changes proposed should be the subject of a new application;
- Design does not capture iconic view of the bus station building;
- The shop has no storage space; and
- Will impact on residents parking.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	17 November 2021	No response
Summary of comments: No response received.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	17 November 2021	23 December 2021

Summary of comments:

It is noted that the changes to the wording of condition 4 seems acceptable to avoid on street parking by contractors. Further to condition 2 it is noted the plans do not indicate any change to the parking offer and the previous Highway comments still stand, which raised objection to the amount of parking and its distance from the site and its continued availability.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	17 November 2021	23 November 2021

Summary of comments:

We have reviewed the submitted documents and have no comment to make as these conditions do not relate to surface water drainage and a separate condition is yet to be discharged relating to the sites proposed surface water drainage strategy.

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	17 November 2021	18 November 2021

Summary of comments:

No comment on the specific conditions to be amended.

Consultee	Date consulted	Date reply received
East Suffolk Economic Services - N. Rickard 50+ Dwellings	17 November 2021	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	17 November 2021	10 December 2021

Summary of comments:

Application should be rejected as the revised designs are mundane and fail to complement local character and distinctiveness as required by policies WLP8.29 and SWD6 of the Southwold Neighbourhood Plan. The development should include solar panels, ground or air source heat pumps and rainwater harvesting. Office accommodation appears cramped. Ten parking spaces inadequate

and fails to meet the Suffolk Highways Guidance 2019 contrary to SWD7. No provision made for parking for the disabled and no EV charging stations.

6. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	19 November 2021	10 December 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	19 November 2021	10 December 2021	Lowestoft Journal

7. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 19 November 2021 Expiry date: 10 December 2021
---------------------	---

8. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.12 - Existing Employment Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.13 - New Employment Development (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

- 8.1 The Southwold Neighbourhood Plan (NP) is at an advanced stage, awaiting a referendum, and thus significant weight can be given to its policies. Relevant policies include:

SWD06 - Design

SWD07 - Parking

SWD09 - Solo workers and Micro Businesses

SWD11 – Provision of Wildlife in Developments

SWD16 Development Sites (includes application site)

9. Planning Considerations

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 9.2 Section 73 applications can be used to seek minor material amendments where there is a relevant condition that can be varied. Section 73 (2) states: *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted."* It is therefore only open to the Local Planning Authority to consider the amendments specified in the conditions and not the principle of residential development on the site.

The Approved Scheme

- 9.3 The scheme consented the provision of flexible working units to be used for small local businesses, as well as retaining a retail use on the site, and the provision of small rented flats was considered to meet the policies of both the then adopted Development Plan and those in the emerging Local Plan (which has since been adopted) and was seen to be in keeping with the character of the area which comprised a mix of residential and commercial units. Coastal Community funding was obtained for the development which is seen as improving/diversifying the employment offer for the town, (heavily reliant on tourism) in line with the Economic Plan that the Southwold Coastal Community Team had produced, and which informed the need for this development.
- 9.4 The approved parking provision for the scheme was considered acceptable and some of the concerns raised by the Highway Authority, and repeated in respect of this application, were addressed. The previous application was supported by a Transport Statement (TS) which looked at the accessibility of the development by means other than the car and notes that walking and cycling would likely be high given the close proximity of the site to the Town and its services and facilities. It noted the close proximity of the site to bus stops and that a number of bus services are available. It assessed the availability of on-street parking in the vicinity and the change in trip generation between the existing and proposed used. On the latter it concluded the development would unlikely have a significant or severe impact on the local highway network. It considered the provision of 10 parking spaces, some 165m away, was reasonable for this particular location and having regard to the lack of availability of parking on site currently. It assessed accident records that showed no significant issues in the

vicinity and that the proposed improvements to pedestrian provision along Blyth Road would benefit those trying to cross the road.

- 9.5 The approved application was considered to meet policy WLP8.22 relating to sustainable transport and the NPPF which seek to promote development that would encourage people to travel using non-car modes to access home, school, employment, services, and facilities. The site's location is such that travel by means of transport other than the car would be likely with walking and cycling being highly likely. Cycle storage is well catered for in the development. The scheme would promote accessibility to jobs, shopping, leisure facilities and services as encouraged by these policies and the NPPF.
- 9.6 The Highway Authority did raise some concerns to the distance of the parking from the site and its availability in perpetuity. This was addressed through the provision of a Grampian style condition (condition 4) to prevent the start of the development until the car parking had been completed. The condition also requires it to remain available to serve this development. Plans were also submitted to address the Highway Authority concerns in respect of the footpath design.

Proposed Amendments

- 9.7 In considering a S.73 application, the consideration is limited to the matters the subject of the relevant conditions. The changes sought relate to the internal layout and design of the buildings to reflect a different arrangement of the retail, office and residential uses previously approved, and seeking to allow the final surfacing of the car parking area to be provided before occupation rather than before development commences to allow the area to have a temporary surface during construction when it will be used by contractors.
- 9.8 Regard has been given to the current adopted Waveney Local Plan and the Southwold Neighbourhood Plan in the consideration of these amended proposals.
- 9.9 The development still maintains a mixed-use scheme, with no overall increase in floor area, and the level of parking is as previously consented. As such a section 73 application is an accepted mechanism to address the changes now proposed and which are not so substantial to require a new application.
- 9.10 Principle issues to consider are whether the changed design and layout are appropriate and not detrimental to its surroundings and neighbouring uses and still seeks to preserve the character and appearance of the conservation area.
- 9.11 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it is the duty of the Council that with respect to any buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.12 Local Plan policies WLP8.37 – Historic Environment and WLP8.39 – Conservation Areas, seek to conserve and enhance heritage assets and their settings in line with the NPPF.
- 9.13 Policy WLP8.29 "Design" requires that developments respond to local context and the form of surrounding buildings in relation to the overall scale and character, layout, site coverage, height and massing of existing buildings, the relationship between buildings and spaces and

the wider street scene or townscape and by making use of materials and detailing appropriate to the local vernacular, in addition to resulting in no adverse impact upon neighbouring amenity or parking provision.

9.14 The scheme consented was considered to be a high-quality design for this key town entrance site and its AONB, edge-of-settlement context. The fenestration and choice of materials were of a contemporary style. Whilst the proposed changes have diluted the more contemporary elements of the scheme the changes still reflect the scale, form, and character of the existing development in the area, and that it will still seek to preserve and enhance the character of the conservation area. The scheme retains the courtyard area with units organised around it which is considered an important part of the design and a key part of the 'hub' environment. The proposal to join-up the two roof elements on Block 1 whilst changing the buildings form, is similar to the former building that occupied this part of the site. The removal of the dormers in Block 2 has simplified the building's design and are no longer required given the residential units are no longer proposed at first floor level.

9.15 The repositioning of the one remaining flat on site to above the shop will be a significant benefit to future occupiers amenity, as the outlook over Station Road and to the south will substantially be improved. It also provides a separate access from Station Road. It is not considered the proposed changes will cause any further harm to the amenity of neighbours than the scheme consented.

9.16 Further to the objections raised to the lack of energy efficient measures within the development, the applicants have confirmed the following sustainable elements:

- Heating is via the use of an air source heat pump allows an efficient heating system which can be converted to a zero-carbon heating system and has low carbon emissions. It will allow Part L compliance.
- Advanced controls will be used for energy control to all heating, ventilation, auxiliary, and lighting systems to minimise operational energy use.
- Setbacks to heating system during unoccupied periods.
- High efficiency LED lighting is used throughout.
- Local electric water heaters to reduce storage and distribution energy losses.
- All insulation standards and the building's air permeability will be above the minimum Part L building requirements reducing heat loss and hence energy usage.
- All ventilation to the workspaces will be natural via openable windows.
- Permeable paving is used to the hard paved areas in the courtyard to create a SUDS scheme.

9.17 Generally, it is considered the design amendments retain the essential character of the previous scheme and can be supported in line with the design policies of the Development Plan and the policies that seek to preserve heritage assets. They would also accord with NP policy SDW6 – Design, as well as policies SDW9 and SWD16 which positively encourages the provision of small scale office development, and in the case of policy SWD16 specifically refers to the application site.

9.18 Regarding the variation to condition 4, it is considered reasonable to amend the wording of the condition to allow for the final car park surface finish and kerbs etc to be provided prior to first occupation, so the area can be used by contractors' vehicles during construction and

thus avoiding parking on the highway in the vicinity of the site, which the Highway Authority recognised would be a benefit.

- 9.19 The changed wording will not affect the original requirements of the planning consent to provide what was previously considered to be a reasonable amount of parking to serve the development. The proposal is thus still regarded as being in compliant with Local plan policy WLP8.21 Sustainable Transport. It is also considered to be compliant with NP policy SDW7 which indicates that parking proposals that do not comply with the Suffolk Highway Guidance 2019 could be supported where there are local benefits including enabling the provision of employment space and high-quality designs. The scheme seeks to provide the required amount of secure cycle parking as recommended in the Suffolk Guidance for Parking. This is a sustainable location where other modes of travel to and from the site are available, and indeed should be encouraged.

10. Conclusion

- 10.1 It is considered that the variation to conditions two and four to incorporate the amendments proposed will not significantly change the nature, character, and appearance of the development which seeks to create jobs and greater economic prosperity and diversity for the town, without causing undue harm to the character of the area, historic assets, residential amenity, and highway safety. The design and layout changes are considered necessary to deliver the scheme and are supportable for the reasons set out above. The proposals are considered, subject to the conditions recommended, to accord with the Development Plan.

11. Recommendation

- 11.1 **APPROVE** the variation of conditions 2 and 4 subject to the conditions previously imposed, except where they relate to the café use which is no longer part of the proposals. An additional condition is recommended in respect of the principal occupancy condition for the proposed residential unit.

12. Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 304529-IW-DR-A-2204 Rev P3; -2203 Rev P3; -2205 Rev P3; ZZ DRA 1001; 1002; 2001D; 2002B; 9001F; 9005; 1001C; 1002C; 1003B; 1004B; 0001G; 0005D; 0005F; 0003B; 0006C; 1005 Transport Statement dated June 2018; Phase I and Phase II Geo-Environmental Assessment dated 10/05/18; Planning Design and Access Statement dated May 2018; Heritage Impact Assessment dated April 2018; and the Drainage Strategy 304529 dated 25/07/18, 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.

2. Notwithstanding the submitted details a full schedule of wall and roof materials to be used shall be submitted to and approved in writing by the local planning authority prior to

development commencing, except demolition, site clearance and the removal of underground tanks. Development to be undertaken in accordance with the approved details.

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

3. No development shall take place (except demolition, site clearance and the removal of underground tanks) until a minimum of ten car parking spaces are made available within the area shown on approved drawing 304529-IW-DR-A-2205 Rev P3. The area shall have been laid out and made available for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority, allowing a temporary surface to accommodate contractors parking for the duration of construction with the final agreed parking surfacing and layout being completed prior to first occupation of the site. The 10 parking spaces shall thereafter be retained in accordance with the approved details, for the purposes of parking to serve the development hereby granted.

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

4. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority. The investigation must

include:

- * investigation and assessment of areas in the vicinity of the removed underground tanks and associated infrastructure;
- * the locations and nature of site wide sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- * explanation and justification for the analytical strategy;
- * a revised conceptual site model; and
- * a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A2:2017 and CLR11.

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

5. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The

RMS must include, but is not limited to:

- * details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;

- * an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- * proposed remediation objectives and remediation criteria; and
- * proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

7. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
 - * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - * evidence that the RMS approved under condition 6 has been carried out competently, effectively and in its entirety; and
 - * evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be

produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

9. Before the installation of any extract ventilation system, air conditioning, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to the local planning authority for approval, and only the approved plant shall be installed and retained in the approved form thereafter.

Reason: To avoid noise nuisance in the interests of residential amenity

10. No development shall commence, except demolition, site clearance and the removal of underground tanks 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.

11. No development shall commence, except demolition, site clearance and the removal of underground tanks 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.

12. The development hereby permitted shall not be occupied until details of all Sustainable Urban 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 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.

13. No development other than demolition, site clearance and the removal of underground tanks, 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 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:
1. 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 in line with the River Basin Management Plan

14. No development, except demolition, site clearance and the removal of underground tanks, shall commence until details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:
- [i] windows, doors and other glazed areas;
 - [ii] eaves and verges;
 - [iii] canopies and feature panels;
 - (iv) cycle storage;
 - (v) new boundary walls

The approved details shall be implemented in their entirety before the buildings are first occupied.

Reason: In the interests of preserving the character and appearance of the Conservation Area: the application did not include the necessary details for consideration.

15. Within 3 months of commencement of development, precise details of a scheme of hard landscape works at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

16. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, planters 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.

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

17. The approved scheme of landscape works 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 five 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 thereafter and shall be retained and maintained.

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

18. No works on the new footpath on Blyth Road shall commence until full details have been submitted to and approved in writing by the local planning authority. No unit shall be occupied until the footpath has been completed in accordance with the approved details.

Reason: To ensure the provision of adequate and improved access arrangements to the site in the interests of highway safety.

19. Prior to works commencing a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan should address how noise and dust/smoke/fumes will be controlled and reduced to a minimum during construction. The building operations undertaken at the site shall comply with the approved details.

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

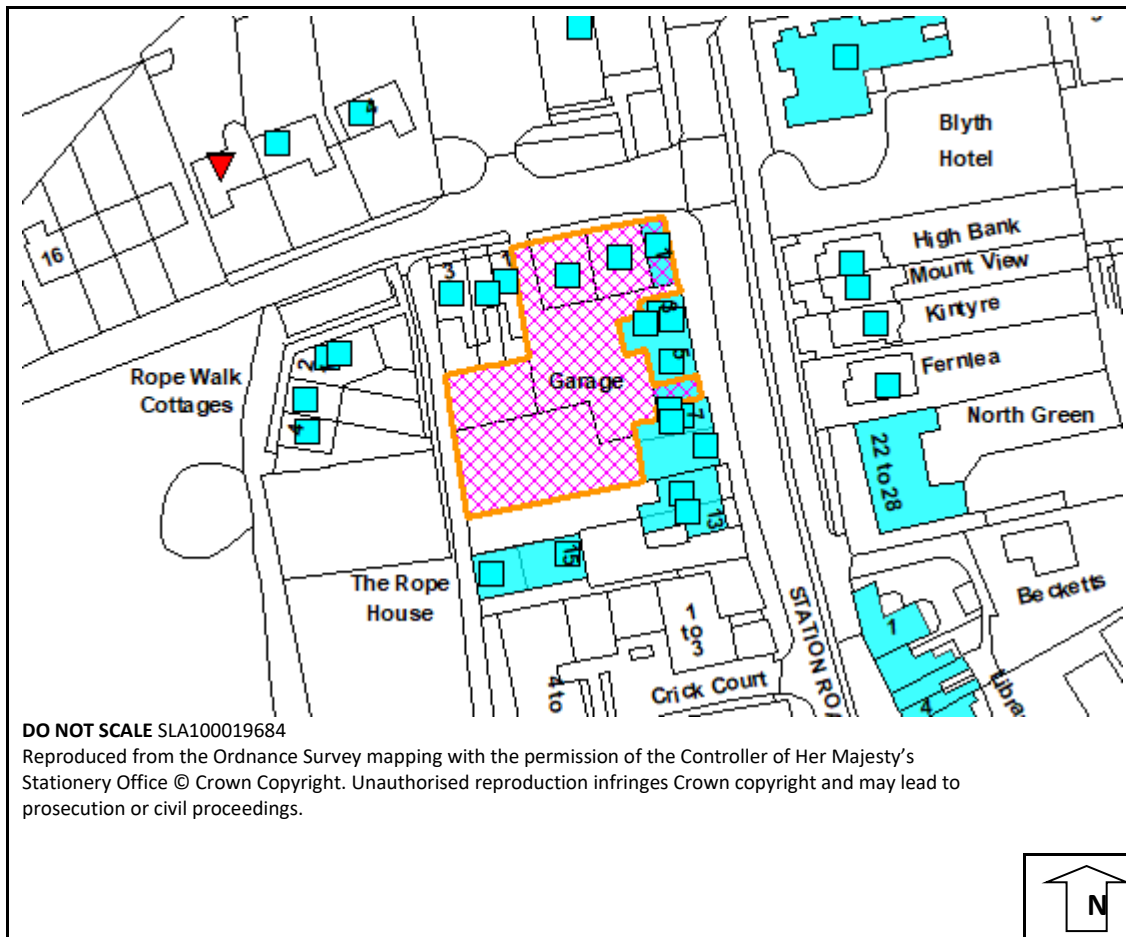
Informatives:

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.





Background Papers

See application reference DC/21/5052/VOC on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

Committee Report

Planning Committee North - 8 February 2022

Application no DC/21/5574/LBC

Location

Jubilee Bridge
The Ravine
Lowestoft
Suffolk

Expiry date 6 February 2022

Application type Listed Building Consent

Applicant East Suffolk Council

Parish Lowestoft

Proposal Repair & Refurbishment of Existing Pedestrian Bridge

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsuffolk.gov.uk

1. Summary

- 1.1. Listed Building Consent is sought for the repair & refurbishment of the existing Jubilee Bridge, which crosses 'The Ravine', Lowestoft. The proposed comprehensive programme of works to repair and refurbish the existing Grade II Listed structure is in order to allow safe future usage to recommence upon completion. The proposed works are not considered to adversely impact on the historical importance of the structure and would preserve the character and appearance of the bridge. As such the proposal is considered compliant with local and national planning policy, and therefore it is recommended that Listed Building be Granted subject to conditions.
- 1.2. The application has been submitted by the Local Authority, and therefore it is referred to direct to Planning Committee for consideration.

2. Site Description

- 2.1. The application site currently forms the Grade II Listed, late-19th Century pedestrian footbridge of 'Jubilee Bridge', a single-span, flat-deck steel footbridge spanning above 'The Ravine', linking the public highway of North Parade to the North with the Grade II Listed Belle Vue Park to the South.
- 2.2. Jubilee Bridge is located within the Settlement Boundary and Conservation Area for Lowestoft.
- 2.3. Jubilee Bridge was built in 1887 to celebrate the golden jubilee of Queen Victoria, providing a pedestrian link from the then recently constructed and laid out public park, across The Ravine, to access the emerging residential area along North Parade and beyond.
- 2.4. The Jubilee Bridge was Listed in 1993, with the following description:
"Footbridge. 1887 by Richard Parkinson. Steel. Single-span flat-deck footbridge supported on 2 elliptical arches with tracery spandrels and lattice bolted balustrade. C20 timber handrail. The span springs from brick revetments. The south side bears inscriptions referring to Queen Victoria's Jubilee."

3. Proposal

- 3.1. Listed Building Consent is sought for the repair & refurbishment of existing Jubilee Bridge, which crosses 'The Ravine', Lowestoft.
- 3.2. A more comprehensive specification of these works is contained within the submitted 'Schedule of Works' which accompanies this application, in summary, the works involve:
- removal and replacement of the existing concrete deck of the bridge;
 - removal and replacement of some of the supporting steel bracing on the underside of the bridge, which has unfortunately corroded over time;
 - removal and replacement of sections of the side balustrading panels and associated hand-rail;
 - removal, re-painting and reinstatement of the four existing lamp standards, along with the existing hooped entrance railings, to either side of each entrance to the bridge; and
 - repair/re-pointing of the supporting brickwork revetments to either side of the bridge.

4. Consultees

Third Party Representations

- 4.1. No letters of representation have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	20 December 2021	5 January 2022
Summary of comments:		

The Planning Committee of Lowestoft Town Council considered this application at a meeting on 4 January 2022. It was agreed to recommend approval of the application.

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	20 December 2021	No response
Summary of comments: No objections, comments incorporated into officer considerations		

Consultee	Date consulted	Date reply received
Private Sector Housing (Internal)	20 December 2021	5 January 2022
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Historic England	20 December 2021	13 January 2022
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	20 December 2021	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	20 December 2021	10 January 2021
Summary of comments: No objection but note several the works involved in this development may be noisy and therefore request that an hours of work condition be applied to any permission granted.		

5. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	7 January 2022	28 January 2022	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	7 January 2022	28 January 2022	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: Conservation Area & Listed Building Date posted: 23 December 2021 Expiry date: 18 January 2022
---------------------	--

6. Planning Policy Background

- 6.1. WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- 6.2. WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- 6.3. WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- 6.4. National Planning Policy Framework 2021 (NPPF)
- 6.5. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

- 6.6. In properly applying the relevant historic environment policies of the Local Plan and NPPF, the statutory duty under section 66 of The Act, above, is followed.

7. Planning Considerations

Registered Park and Garden

- 7.1. The Listed building has significance to the Grade II Registered Park and Garden of Bell Vue Park. The Park was designated in 2002 and the description notes the following about the bridge; *"Mr Arthur Stebbing proposed that a bridge be erected across the ravine on the northern boundary of the park, to mark the Queen's Golden Jubilee. The architect William Chambers was commissioned to design the fine iron bridge, which was funded by William Youngman, the first elected mayor of the borough (Brown et al 1991). Richard Parkinson,*

chief engineer to the Eastern and Midlands Railway was also involved in this project, possibly in relation to its construction."

North Lowestoft Conservation Area

- 7.2. The bridge sits within the North Lowestoft Conservation Area, with the Appraisal stating:
- 7.3. *"Without question, the most elaborate and impressive iron structure in the conservation area is Jubilee Bridge over The Ravine; a single span footbridge built in 1887, with tracery spandrels, lattice bolted balustrade and cast-iron lamp standards. The bridge is an extremely important feature of the conservation area and adds a dramatic and elaborate note to the Bellevue Character Area." (Page 34).*
- 7.4. *"Jubilee Bridge, over The Ravine (Grade II) Footbridge between North Parade and Bellevue Park. 1887 by the engineer Richard Parkinson and architect WO Chambers. Steel. Single-span flat-deck footbridge supported on two elliptical arches with tracery spandrels and lattice bolted balustrade. Twentieth century replacement timber handrail. The span springs from brick revetments. Decorative cast iron lamp standards by DW Windsor of Ware, Hertfordshire. The south side bears inscriptions referring to Queen Victoria's Jubilee. Bettley, J, and Pevsner, N, The Buildings of England, Suffolk: East (London, 2015) p.408. (Page 182).*
- 7.5. *"Mr Arthur Stebbing proposed that a bridge be erected across the ravine on the northern boundary of the park, to mark the Queen's Golden Jubilee. The architect William Chambers was commissioned to design the fine iron bridge, which was funded by William Youngman, the first elected mayor of the borough (Brown et al 1991). Richard Parkinson, chief engineer to the Eastern and Midlands Railway was also involved in this project, possibly in relation to its construction". (Page 194).*
- 7.6. *"..... In the middle of the northern boundary a fine brick and steel bridge (Listed Grade II) spans The Ravine to link the park with the large houses of North Parade. Kelly's Directory of 1892 attributes the design to Richard Parkinson although the Suffolk Archives holds plans by the architect William Chambers for the bridge,.." (Page 194).*

Proposed Works

- 7.7. The works proposed are quite extensive and look to refurbish the bridge to a safe and useable structure as well as bring it back up to a condition which is visually attractive and well maintained. The proposed works are comprehensive in nature, and as set out within the proposal include several elements that will be set and assessed below. These include
- Removal and replacement of the existing concrete deck of the bridge;
 - Removal and replacement of some of the supporting steel bracing on the underside of the bridge, which has unfortunately corroded over time;
 - Removal and replacement of sections of the side balustrading panels and associated hand-rail;
 - Removal, re-painting and reinstatement of the four existing lamp standards, along with the existing hooped entrance railings, to either side of each entrance to the bridge; and
 - Repair/re-pointing of the supporting brickwork revetments to either side of the bridge.
- 7.8. These elements are all considered acceptable, however, the drawings submitted note that the entrance railings to the bridge will be repaired if possible or replaced. It is hoped that repair will be possible, but the condition of elements is not fully known at this time, and

this will not become evident until the works are underway, and a full inspection can be made. Therefore, in order to control this matter should they be found to be beyond practical repair and in need of replacement it is considered necessary to impose a condition that prior to replacement evidence be provided that they are beyond practical repair and large scale details of their replacements be provided.

- 7.9. In addition, to the elements listed above the proposed repair & refurbishment works also include the following:

Commemorative stone placards

- 7.10. The two commemorative stone placards on southern bridge abutment piers are to be cleaned, restored and repainted including blue painting of lettering (to match existing paint). This is considered acceptable and is a welcomed restoration.

Rainwater goods

- 7.11. Installation of new 100mm diameter (ID) black painted cast iron rainwater down pipes and elbow fittings to sides of northern abutment, which is considered acceptable.

Stonework to abutments

- 7.12. Prepare and re-paint stonework to abutment piers strictly in accordance with Witham Paints, which is deemed acceptable subject to colours.

Paint to path surface

- 7.13. Apply Witham Paints (or similar approved equivalent) non-slip paint system to top surface of new concrete bridge deck to provide a highly durable slip resistant surface finish. This is considered acceptable subject to colour.

Colour Scheme

- 7.14. Considering the impact of the colour in this particular case, the colour scheme of the items listed above is not detailed within the application and given the importance of ensuring a satisfactory paint scheme to the bridge, it is considered necessary to impose a condition that the colours be agreed prior to their application.

8. Conclusion

- 8.1. Where the proposed works require some removal of historic fabric, that would constitute less than substantial harm to the significance of a designated heritage asset, as set out within paragraph 202 of the NPPF. However, this work is necessary to bring the bridge back into use and the harm is on a low level. This harm has to be weighed against the public benefits of the proposal as required by the NPPF and Local Plan. In this case the proposed works would allow for the safe re-introduction of pedestrian use of the bridge, as well as safeguarding the future of the Listed Bridge. The works overall are necessary and will make this bridge useable again and restore its appearance. It is therefore considered that there are significant public benefits from the proposal to clearly indicate for a grant of listed building consent.

9. Recommendation

- 9.1. It is recommended that Listed Building Consent be granted subject to conditions

10. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Site Location Plan and exiting photos, 20223 EX04 T1, received 15/12/2022,
 - Existing East Elevation and Embankment Cross-Section, 20223 EX01 T2, received 15/12/2022,
 - Existing West Elevation and Embankment Cross-Section, 20223 EX02 T2, received 15/12/2022,
 - Existing Bridge Sections & Details, 20223 EX03 T2, received 15/12/2022,
 - Structural Repair Spec & Details: Replacement Bridge Deck, 20223 SR01 T4, received 15/12/2022,
 - Structural Repair Spec & Details: Bridge Plan & Vertical Bracing, 20223 SR02 T2, received 15/12/2022,
 - Structural Repair Spec & Details: Hand Rails, Balusters & Fixings, 20223 SR03 T2, received 15/12/2022,
 - Structural Repair Spec & Details: Main Structure Metalwork Repairs, 20223 SR04 T2, received 15/12/2022,
 - Structural Repair Spec & Details: Gates, Abutments & Drainage, 20223 SR05 T2, received 15/12/2022,
 - Schedule repair & Refurbishment Works, Job No. 20223, received 15/12/2022,
 - Design & Access Statement including Heritage Statement, received 15/12/2022,
 - 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. Prior to the application of any painted finish, the colour of the paint finish to the following elements shall be supplied and agreed in writing by the Council;
 - the deck surface,
 - steel bracing and supporting structure,
 - stonework to abutment piers,
 - the balustrade,
 - the lamp standards,
 - hooped entrance railings,
 - the low entrance railings.

The works shall then be completed in accordance with these approved details, and there after retained.

Reason: To maintain the character of the building and its setting.

4. Prior to the replacement of the entrance railings, evidence that they are beyond practical repair shall be provided to the Council together with the extent of the replacement

proposed. Large scale details of the like for like replacement railings, including height, material, section sizes, detailing and finish to be supplied and agreed in writing the Council. The works shall then be carried out in accordance with these approved details.

Reason: To maintain the character of the building and its setting.

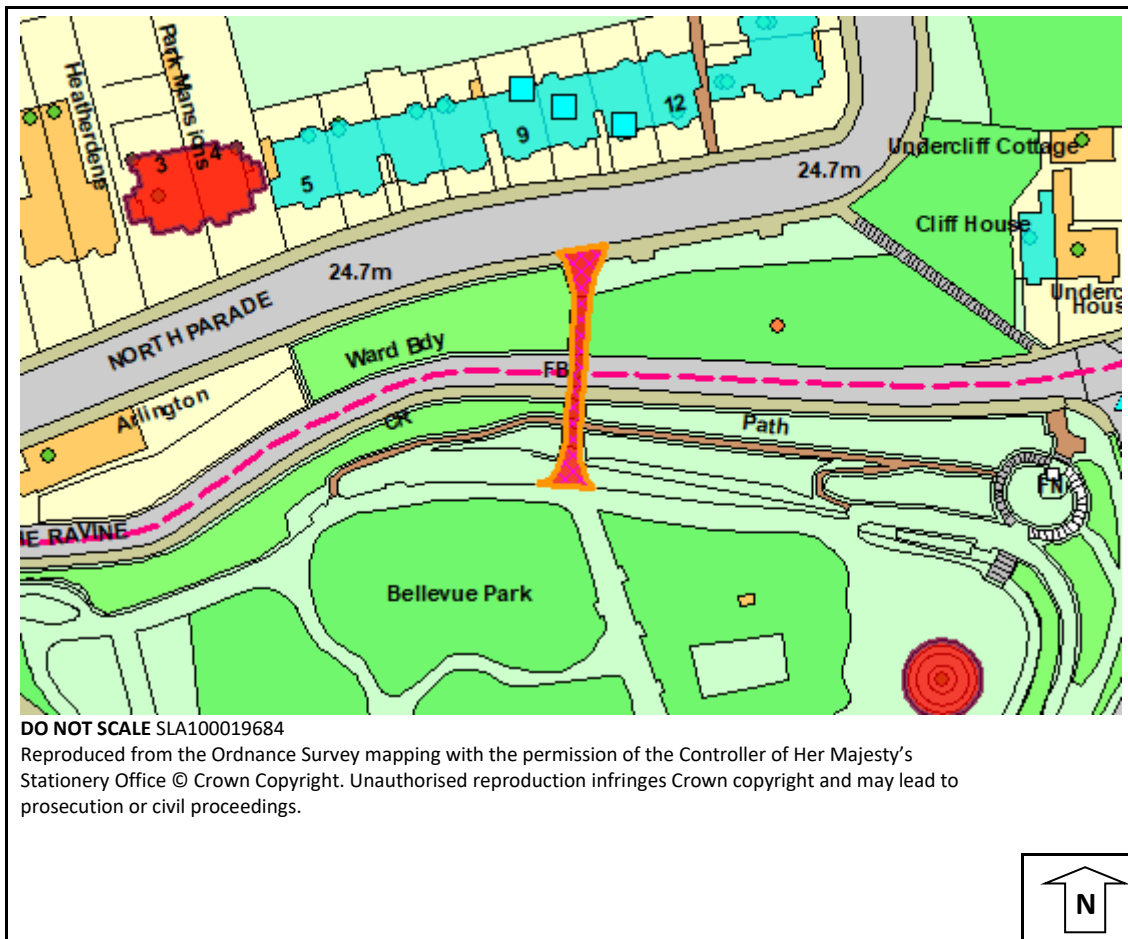
11. Informatives:

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. Due to the close proximity of nearby residential properties and given the level of work proposed it is requested that the repair & refurbishment works, hereby permitted, shall only take place between the hours of:
 - 07:30 and 18:00 Mondays to Friday
 - 08:00 and 13:00 Saturdays
 - No time on Sundays or bank holidays.

12. Background Papers

See application reference DC/21/5574/LBC on [Public Access](#)

Map



Key

- Notified, no comments received
- Objection
- Representation
- Support