



**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, 14 December 2021 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/TKAD4zN-wj0>

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to [democraticservices@eastsoffolk.gov.uk](mailto:democraticservices@eastsoffolk.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

	<b>Pages</b>
<b>1 Apologies for Absence and Substitutions</b>	
<b>2 Declarations of Interest</b> 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.	
<b>3 Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4 Minutes</b> To confirm as a correct record the Minutes of the Meeting held on 9 November 2021	<b>1 - 13</b>
<b>5 Enforcement Action - Case Update ES/0983</b> Report of the Head of Planning and Coastal Management	<b>14 - 33</b>
<b>6 DC/19/2949/COU - Land adjoining Broadland Sands Holiday Park, Coast Road, Corton ES/0984</b> Report of the Head of Planning and Coastal Management	<b>34 - 75</b>
<b>7 DC/21/4450/FUL - The Mission Hall, St Georges Road, Lowestoft ES/0985</b> Report of the Head of Planning and Coastal Management	<b>76 - 89</b>
<b>8 DC/21/4253/FUL - 87 High Street, Lowestoft ES/0986</b> Report of the Head of Planning and Coastal Management	<b>90 - 100</b>
<b>9 DC/21/2592/FUL - Plot, Hall Lane, Blundeston, Lowestoft ES/0987</b> Report of the Head of Planning and Coastal Management	<b>101 - 115</b>
<b>10 DC/21/4454/FUL - Balnacraig, Stanton Close, Lowestoft ES/0988</b> Report of the Head of Planning and Coastal Management	<b>116 - 121</b>

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11	<b>DC/21/4957/FUL - Balnacraig, Stanton Close, Lowestoft ES/0989</b> Report of the Head of Planning and Coastal Management	<b>122 - 126</b>
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**Part Two – Exempt/Confidential**

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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>).

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**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 9 November 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

**Officers present:** Charlie Bixby (Planner), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Alli Stone (Democratic Services Officer), Ben Woolnough (Planning Development Manager)

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**1 Apologies for Absence and Substitutions**

There were no Apologies for Absence.

**2 Declarations of Interest**

Councillor Brooks declared a Local Non-Pecuniary Interest in items 8 and 9 – DC/21/4219/FUL and DC/21/4220/LBC – Lowestoft Post Office, as being Cabinet Member for Transport and having voted on financial matters at a Cabinet meeting.

Councillor Ceresa declared a Local Non-Pecuniary Interest in item 12 – DC/21/3919/FUL - 1 Westwood Avenue, Lowestoft, as being County Councillor the area.

Councillor Cooper declared a Local Non-Pecuniary Interest in item 7 – DC/21/3214/FUL – 54 High Street, Leiston. Having commented on the application and being member of the Town Council, he advised that he would leave the meeting and take no part in the discussion or voting thereon.

Councillor Rivett declared Local Non-Pecuniary Interest in items 8 and 9 – DC/21/4219/FUL and DC/21/4220/LBC – Lowestoft Post Office, as being Cabinet Member for Economic Development and Chairman of the Heritage Action Zone. He advised that he would leave the meeting and take no part in discussion or voting thereon.

In addition, Councillor Rivett declared Local Non-Pecuniary Interest in item 11 – DC/21/3608/FUL – Miniature Golf Course Kiosk, Dip Farm, Lowestoft, as being Cabinet Member for Economic Development and having had extensive correspondence under his Portfolio. He advised that he would leave the meeting and take no part in discussion or voting thereon.

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

There were no Declarations of Lobbying.

### **4 Minutes**

#### **RESOLVED**

That the minutes of the meeting held on 14 September 2021 be agreed as a correct record and signed by the Chairman.

### **5 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 25 October 2021. There were currently 10 such cases.

The Assistant Enforcement Officer provided an update with regard to The Street, Darsham, where the case was still with Legal Services who were in discussion with the Senior Enforcement Officer to decide on best form of action on the breaches.

The Planning Development Manager advised that part compliance had been achieved at Dam Lane, Kessingland, with the structures having been removed. However, with regard to the ponds, next steps were being considered due to the water voles now on the site and the ecological implications of any action. With regard to North Denes Caravan Park, Lowestoft, a short extension of two weeks to 15 November for compliance had been granted. Legal advice had been received with regard to the licensing position and a further extension was not expected.

Members sought clarification on some of the cases which had been outstanding for years and in particular Pine Lodge, Hinton, to which the Assistant Enforcement Officer advised that legal advice was being sought on the recovery of costs. The enforcement case itself was closed but it was still on the schedule due to the Council seeking costs.

The Planning Development Manager advised that there were many routes of appeal with regard to enforcement and compliance and lengthy court procedures; timescales were down to the nature of enforcement.

There being no further discussion, it was

#### **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 25 October 2021 be received and noted.

## **6 DC/20/1126/FUL - Suffolk Cars, Halesworth Road, Bramfield**

The Committee considered report ES/0937 which gave details of the planning application for the change of use from Water Machine manufacturing and distribution to Car Repairs and Sales premises by appointment only, including existing workshops at the rear, existing showroom at the front, existing offices adjoining the showroom, and the display of vehicles on existing concrete hardstanding at the front of the buildings.

The unauthorised use was the subject of an open enforcement investigation and the retrospective application before the Committee sought to regularise the situation to consent the continued operation at the site.

Members received a presentation showing the site location, aerial view, photographs of the site, access, street scene and the layby which was not in the ownership of either the nearby residents or the applicant. A block plan of the site showed premises for dual use of car sales and servicing/repairs and various parking areas. The roller doors on the workshop were proposed to be kept closed to reduce any noise emanating from the site. The southern boundary was quite open so proposed hedgerow planting secured by condition would provide screening for the future.

The Principal Planner advised on the material planning considerations and key issues and explained that, whilst the retrospective nature of the application was unfortunate, the application had to be considered on merit. With appropriate planning conditions, it was considered that the use of the site could be properly controlled and managed so as to be acceptable in planning terms. It would also allow the continued operation of the site and the employment benefits that the use delivered. Approval was being recommended and the precise wording of the proposed conditions was as set out in the update sheet that had been circulated the previous day.

Members raised questions relating to:

- The effectiveness of the shutter door on the north side being closed.
- Issues associated with the exist splay.
- Removal of Highways objection.

The Principal Planner explained that whilst the terrace of cottages were on the east side of the site, there was one dwelling to the north and the shutter doors being closed would help limit the noise reaching that dwelling. There should be no major issues with access onto the road as the site a long-standing commercial vehicle access and the fall back position for the site was that a B8 use could be carried out.

The Chairman invited public speakers to address the Committee.

As an objector and near neighbour, Mr G Fereday advised the Committee of the disturbances that had been ongoing over the last 22 months with long hours of operation from 6.30am until late at night sometimes up to midnight. The premises were still opening at 7.20am and the roller doors were left open causing constant noise

from the workshop activity. Also, noise and over spray from the pressure washing was ongoing on a site that had no permission for pressure washing. In addition to that over a long period of time, there had been issues with language that was used. Mr Fereday confirmed that he had asked the owner to keep the shutter doors closed and in December 2020 the Council's own Environmental Health Officer had asked for the doors to be kept closed. That had never happened. If permission was to be granted, the least that could be done was to ensure the premises were closed on Sundays and Bank Holidays and on other days, at a sensible time.

The applicant's agent, Mr J Wilkinson, advised that the use of the premises was in accordance with policy and, whilst retrospective was regrettable, the application before Members had progressed through the planning process. The operation was providing an abundance of benefits including 14 jobs and also a service that was in demand in the area. Car sales were to be by appointment only. It should be noted that Environmental Health had no objection and there were no issues with access into the site. Any agreed conditions would be enforceable and he considered that the benefits outweighed any harm. Mr Wilkinson asked that the Committee support the officer's recommendation.

The Chairman invited questions.

Members raised issues relating to the B Class use, oil/water drainage, adequate parking being provided for employees, and compliance with any conditions proposed.

Mr Wilkinson advised that the history of the site was well documented in the officer's report and the Town and Country Planning Act allowed retrospective applications. Tanks were in place for oil collection so that it did not get into surface water drainage system and trade contractors would come in every three months for its removal. Whilst 14 were on the payroll, eight full-time and six part-time, not all staff were on site at the same time. There should be sufficient space for employees to park on site and Mr Ellis, the applicant, confirmed employees should have no need to park in the layby used by local residents. If approved, Mr Wilkinson confirmed the business would comply with operating hours specified in any agreed conditions.

During the ensuing debate, Members commented on their disappointment that the application was retrospective and believed that the proposed conditions to be imposed would help overcome some of the issues and objections that had been raised. Whilst it was noted that pressure washing would continue, any noise issues from that part of the operation could be considered as a potential statutory nuisance via Environmental Health enforcement. There being no further discussion, it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing No. 82021-PL01 (received 15 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.*

2. The hours of working and operation, including opening to the public, shall not take place outside the hours of 08:00 to 17:00 Monday to Saturday.

There shall be no working/operation, or opening to the public, on Sundays and Bank Holidays.

*Reason: in the interest of the local residential environment, to ensure that the use is not carried out at times that would be harmful to local living conditions.*

3. The 4no. visitor car parking spaces shall be laid out, marked appropriately, and made available within 3 months of the date of this permission. The visitor parking spaces shall only be used for visitors to the site, and not used for the parking/display of sales vehicles or the parking of vehicles subject of servicing, repair, or valeting. The visitor parking spaces shall be retained solely for the approved purpose.

*Reason: In the interest of local amenity and highways safety, to ensure that visitors to the site do not park on the highway or in the adjacent layby area.*

4. No more than 23no. (twenty-three) sales vehicles shall be parked/displayed outside of the building, and those vehicles shall only be parked/displayed in those areas marked for that purpose on the approved block plan (no. 82021-PL01).

*Reason: in the interest of visual amenity, and to ensure that there is sufficient manoeuvring space within the forecourt area.*

5. During hours of operation, the roller door to the loading bay on the northern side of the building shall remain closed at all times and only opened to allow for the transport of goods and/or vehicles into the building workshop areas.

*Reason: in accordance with the recommendations of the submitted Acoustic Assessment, to ensure that noisy activities are confined to the interior of the building and sound levels mitigated by the building fabric.*

6. Within three months of the date of this permission, a landscaping scheme to detail hedgerow planting on the southern edge of the site shall be submitted to and approved by the LPA. The planting scheme will then be implemented at the first available planting season and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

**Note:** Having declared an interest in Agenda item 7, Councillor Cooper left the meeting at 2.51pm.

## 7 DC/21/3214/FUL - 54 High Street, Leiston

The Committee considered report ES/0940 which set out details of the retrospective planning application for the change of use to restaurant and takeaway including the installation of an external flue.

The report stated that the property located within Leiston town centre, had recent use as a public house followed by an Indian restaurant and the proposed use was considered to be appropriate for its location. Hours of use were also appropriate in the location. One issue was in connection with the proposed extract system in terms of visual and operational impact. However, the system would use carbon filters and would operate below background noise levels so that there should be no significant impact upon the amenity of neighbours. The extract flue was to be boxed in and painted to match the building.

Members received a presentation showing the site location plan, aerial view, photographs of the street scene and the actual building, block plan and elevations. The addition of a cowl would stop rain entering the flue system and there would be additional cladding to ensure all ducting was screened to reduce the visual impact of the flue.

The Planning Development Manger explained that on balance the impact of the extract flue was not so significant as to justify refusal of planning permission. The benefits of a commercial use of the building, supporting the vitality and viability of the town centre, was deemed to outweigh any visual impact and approval was therefore being recommended, subject to the external works, the additional boxing-in of the equipment, being completed within three months of permission being granted.

Members sought clarification on:

- Paragraph 9.7 in the report and any possible increase in the height of the flue.
- Change of use.
- The position and structure of the flue.

The Planning Development Manager confirmed that a further planning application would be required if the height of the flue had to be raised. The change of use was due to the provision of the takeaway business. There was likely to be internal ducting from the kitchen to the outside flue. The Planning Development Manger confirmed he would make the Building Regulations Team aware of the works to ensure there would be checks for building regulations compliance.

Members recognised the need to ensure the building was in use as well as providing an amenity for the town and it was

### **RESOLVED**

That permission be granted, subject to the following conditions:

1. Within 3 months of the date of this permission, the development hereby permitted shall be completed in all respects strictly in accordance with Drg No 20211127/03 received 05.07.2021; Drg No 20211127/01A and 04 received 16/08/2021 and acoustic report received 02.09.2021, 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.*

2. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such.

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

3. The premises shall not be open to the public other than between the hours of 10.00am and 10.00pm and all members of the public shall have vacated the premises by 10.30pm.

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

**Note:** Councillor Cooper returned to the meeting room at 3.03pm.

Having declared an interest in Agenda items 8 and 9, Councillor Rivett left the meeting at 3.03pm.

## **8 DC/21/4219/FUL - Lowestoft Post Office, 51 London Road North, Lowestoft**

The Chairman advised that there would be one presentation for Agenda Items 8 and 9 but the Committee would then need to take separate votes on the Full Application and the application for Listed Building Consent.

The Committee considered report ES/0942 which gave details of the application seeking planning permission for works to the Grade II Listed Lowestoft Post Office in the form of conservation repairs to the building, new ground floor fenestration and entrance doors, removal of external ramp, installation of new ramp to front entrance, and repairs and replacement to the external building fabric, including re-roofing with Welsh Slate.

The application was before Committee as the application had been made by the Council on Council-owned land.

Members received a presentation showing the site location plan, photographs of the building and street scene, elevations and indicative drawings of the proposed works which were to the listed part of the building only. An artist's impression showed views of the building once the works had been completed. In addition, the proposed internal works would help with the future use of the building.

The Principal Planner advised that the scheme was primarily one of repair and refurbishment and required planning permission because the work related to a

principal elevation/location within the Conservation Area where permitted development rights had been removed for such works. If permission and listed building consent was granted, it would be possible to draw on grant funding provided within the Heritage Action Zone (HAZ) programme which had to be spent in the current year. The applications were recommended for approval with authority to delegate to the Head of Planning and Coastal Management to settle the finer details of the conditions, in consultation with the Conservation Officer.

In response to a Member's question regarding the cleaning of both the front and rear brickwork, the Principal Planner believed that cleaning was part of the overall programme and that question could be raised with the applicant.

The Chairman invited Rebecca Styles, Project Officer from the HAZ Team, speaking on behalf of the applicant to address the Committee.

Ms Styles advised that the application for the repair and restoration of the building was a flagship project of the four year programme which was being supported by Historic England, the Council and Lowestoft Town Council. The majority of the works were limited to the external fabric of the building including the replacement of 47 sash windows, and the ramp and main door were to be relocated. The proposal would make the building safe and watertight and improve the appearance of the building from the High Street. If Members were minded to approve the applications, it was anticipated that the works would commence in January and go through to Spring 2022.

The Chairman invited questions.

Members sought clarification on the following:

- Cleaning of the front and rear brickwork.
- What measures would be in place to prevent seagulls from nesting.
- Routine cleaning.
- Available funding for the full refurbishment of the building.

Ms Styles advised that the initial cleaning was to the front façade and she noted that the Committee was requesting cleaning at the rear of the building. It was likely that bird wires would be installed; they were currently going out to contract for bird protection measures. Any wider conversion scheme would be supported by funding from the Council and the Town Council and further applications were likely to be submitted in the future.

Members unanimously supported the proposal and welcomed the works that would bring the building back to its former glory and also support the revitalisation of the town centre. It was hoped that the scheme might encourage others in the town centre to improve their buildings. There being no further discussion, it was

## **RESOLVED**

That authority be given to delegate determination to the Head of Planning and Coastal Management to approve with conditions.

**9 DC/21/4220/LBC - Lowestoft Post Office, 51 London Road North, Lowestoft**

The Committee considered report ES/0941 which sought Listed Building Consent for repair and refurbishment of timber sash windows, stone repair and infill at ground floor, new windows and doors at ground floor, new rainwater goods to replace existing, replacement of roof tiles, flat roof covering in lead, stone cleaning on front façade. The proposal also included minor internal strip out to facilitate repairs and refurbishment and repair and replacement of roof access lantern.

The application was before Committee as the application had been made by the Council on Council-owned land.

The proposed works would enhance the special interest of the Grade II Listed Building and reveal its significance as a designated heritage asset in the Conservation Area. The proposal also accorded with the Development Plan and approval was being recommended.

Having considered and approved the application under Item 8 on the Agenda, it was

**RESOLVED**

That authority be given to delegate determination to the Head of Planning and Coastal Management to approve with conditions.

*Note: Councillor Rivett returned to the meeting room at 3.22pm.*

**10 DC/21/2278/FUL The Gatehouse, Middleton Crossing, Middleton Road, Yoxford**

The Committee considered report ES/0943 which gave details of the application seeking to site a log cabin in the garden curtilage of the main dwelling house, The Gatehouse, Middleton Crossing, for ancillary residential use. The log cabin met the definition of a 'caravan' as set out in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968. The application was before Committee as the applicant was related to a member of staff.

Members received a presentation showing the site location and block plans, together with photographs of the site and proposed elevations and proposed floor plans.

The Planner advised that the log cabin would be replacing an existing building in the rear garden of the property and would be occupied by the daughter of the applicant, whilst still being dependent on the main house for some of its services and functions for day-to-day living. The style of the log cabin was considered to be acceptable and approval was being recommended subject to appropriate conditions.

Members noted that the new building would be smaller than the existing structure and considered it to be well designed. On a proposal to approve, which was duly seconded, 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 Plan, Proposed Elevations, Floor, and Block Plan received 10/5/2021, 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. The hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse.

*Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.*

**Note:** Having declared an interest in Agenda item 11, Councillor Rivett left the meeting room at 3.25pm.

### **11 DC/21/3608/FUL - Miniature Golf Course Kiosk, Dip Farm, Corton Road, Lowestoft**

The Committee considered report ES/0938 which gave details of the planning application for the change of use from ticket kiosk for miniature golf to takeaway site for drinks/snacks, installation of coffee machine, fridges, freezer, griddle, new windows and extractor fan.

The application related to the former ticket kiosk at the miniature golf course at Dip Farm which had closed in 2019; however, the land remained publicly accessible as an open space and was used for dog walking. The application was before the Committee as the land subject of the application was owned by the Council.

The Principal Planner advised that, due to technical matters that had needed to be addressed, the full application was retrospective as the use had commenced in September and the initial application submission had to be amended to a full application.

Members received a presentation showing an aerial view, site location plan, photographs of the site and building and its renovation, and car parking area. The toilets had been renovated and would be available for public use.

The Principal Planner drew attention to the material considerations including the benefit of re-use of the commercial building, the provision would enhance the recreational offer at Dip Farm and there would be economic benefits allowing a business to operate from the kiosk. The proposed hours of operation in the conditions had been proposed so that the site was closed overnight. Because the proposal application had been amended to a full application, a re-consultation had been undertaken and, since the preparation of the update sheet, the Town Council had commented that it agreed to approval of the application. The change of use did accord with the Development Plan as a logical re-purposing of the building and, as there were no adverse impacts, approval was being recommended.

Members questioned:

- The provision of litter bins due to the business being a takeaway.
- Bin storage at the rear of the property.
- Lack of overnight lighting.
- A reduction in opening hours for the winter months being appropriate, for example from 8am to 6pm.

The Principal Planner advised that the trade waste bins were stored at the rear of the property and he proposed discussion with the applicant with regard to the provision of litter bins for customers' use which, if the application was approved, could be the subject of an informative.

It was noted that the applicant had been due to address the Committee under public speaking but they had left the Zoom meeting room prior to reaching this point in the Agenda.

Members unanimously supported the proposal for a change in hours of operation and agreed the summertime opening of 6am to 10pm and 8am to 6pm for winter months would be appropriate. There being no further debate, it was

## **RESOLVED**

That, subject to no new material planning issues being raised in any further comments received prior to 13 November 2021 that have not already been considered and reported to the Planning Committee, planning permission be granted, subject to the following conditions:

1. The development shall be carried out in accordance with the site location plan received 06 August 2021.

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

2. The building shall only be used for the purposes of a coffee shop/food takeaway as set out in the application unless otherwise approved in writing by the Local Planning Authority (LPA).

*Reason: To ensure the LPA retains control over any future uses of the building to ensure such uses are compatible with the rural location.*

3. The hereby approved use shall only operate and be open to the public during the following hours:

06:00 to 22:00 during the period beginning 01 April and ending 31 October;

and

08:00 to 18:00 from the period beginning 01 November and ending 31 March.

*Reason: To ensure that the use is not carried out overnight and is limited to mostly daylight hours.*

**Note:** Councillor Rivett returned to the meeting room at 3.37pm.

## **12 DC/21/3919/FUL - 1 Westwood Avenue, Lowestoft**

The Committee considered report ES/0939 which gave details of a householder application for a first-floor side extension above a previous single storey extension at a semi-detached property. The application was before Committee as the house was in the ownership of the Council.

Members received a presentation showing the site location plan, aerial site context and views of the street scene, together with the existing and proposed block plan, floor plans and elevations.

The Principal Planner explained the material planning considerations and key issues and that there would be no impact upon neighbour's amenity. He confirmed that there had been no objections and approval was being recommended.

The Committee supported the application and

### **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 no. 2158-001 and Site Plan received 18th 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. The external surfaces of the extension hereby permitted shall be clad in coloured Hardiplank as confirmed in the email from agent received 20th September 2021, unless varied by a subsequent application to the Planning Authority. Roof tiles shall match as closely as possible those on the existing dwelling.

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

The meeting concluded at 3.41pm.

.....  
Chairman



## PLANNING COMMITTEE NORTH

**Title of Report:**

**East Suffolk Enforcement Action – Case Update**

**Meeting Date**

**14 December 2021**

**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 29 November 2021. At present there are 10 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 29 November 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"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 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</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 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.</li> <li>• 10/11/2015 – Informal hearing held</li> </ul>	31/02/2022

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"> <li>• 01/03/2016 – Planning Appeal dismissed</li> <li>• 04/08/2016 – Site re-visited three of four Notices have not been complied with.</li> <li>• Trial date set for 21/04/2017</li> <li>• 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.</li> <li>• The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.</li> <li>• 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice.</li> <li>• 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps.</li> <li>• 21/11/2017 – Mobile home and steps removed from site.</li> </ul>	

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"> <li>• Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> <li>• 27/06/2018 – Compliance visit conducted to check on whether the 2010.</li> <li>• 06/07/2018 – Legal advice being sought.</li> <li>• 10/09/2018 – Site revisited to check for compliance with Notices.</li> <li>• 11/09/2018 – Case referred back to Legal Department for further action to be considered.</li> <li>• 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).</li> <li>• 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive</li> </ul>	

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"> <li>• Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</li> <li>• 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</li> <li>• 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018</li> <li>• 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</li> <li>• High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019</li> <li>• 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-</li> </ul>	

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"> <li>• 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</li> <li>• 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.</li> <li>• 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019.</li> <li>• 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</li> <li>• Site visited. Case currently with the Council's Legal Team for assessment.</li> </ul>	

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"> <li>Charging orders have been placed on the land to recover costs.</li> </ul>	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> <li>Authorisation granted to serve Enforcement Notice.</li> <li>13/09/2013 -Enforcement Notice served.</li> <li>11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months</li> <li>11/07/2014 – Final compliance date</li> <li>05/09/2014 – Planning application for change of use received</li> <li>21/07/2015 – Application to be reported to Planning Committee for determination</li> <li>14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015</li> <li>11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action.</li> <li>09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> </ul>	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"> <li>• Further enforcement action to be put on hold and site to be monitored</li> <li>• Review in January 2019</li> <li>• 29/01/2019 – Legal advice sought; letter sent to site owner.</li> <li>• 18/02/2019 – contact received from site owner.</li> <li>• 04/04/2019 – Further enforcement action to be placed on hold and monitored.</li> <li>• Review in April 2021.</li> <li>• 13/04/2021 – Letter sent to owner to establish current situation</li> <li>• Given until the end of June to either comply or supply the Council with any other information</li> <li>• Case being reviewed.</li> <li>• 22/05/2021 – contact received from site owner. Case reviewed</li> <li>• Due to the receipt of confidential information formal action has been placed on hold.</li> <li>• 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at</li> </ul>	

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"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action.</li> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> </ul>	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"> <li>• 01/10/2018 – PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 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.</li> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> </ul>	

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"> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal Dismissed with variations. Compliance by 20 January 2021</li> <li>• Site visit due at end of January 2021.</li> <li>• 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021</li> <li>• 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered.</li> <li>• Legal action being considered.</li> <li>• Case to be heard at Court on 15/10/2021</li> <li>• Court Case adjourned until 12/11/2021</li> <li>• <b>Court case adjourned for trial on 24<sup>th</sup> January 2022</b></li> </ul>	

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"> <li>• 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>• Enforcement Notice to be drafted</li> <li>• Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024
ENF/2016/0016 /SIGN	21/07/2017	South	Homeland House, Ashboking Road, Swilland	Storage of mini buses and coaches	<ul style="list-style-type: none"> <li>• 21/07/2017 – Enforcement Notice served</li> <li>• Non compliance with Notice reported.</li> <li>• Correspondence sent to owner requiring compliance</li> <li>• Site visited - No compliance</li> <li>• 10/06/2021 – Case referred to Legal Department for further action to be taken.</li> <li>• Legal action being considered.</li> <li>• Case to be heard at Court on 15/10/2021</li> <li>• Court case adjourned until 29/10/2021</li> </ul>	30/11/2021

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"> <li>• <b>Owner pleaded guilty to all charges and was convicted and fined. Minibuses were removed from the site prior to the case going to Court, therefore this case can now be closed.</b></li> </ul>	
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"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> <li>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> <li>• Waiting for decision from Planning Inspectorate.</li> <li>• 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</li> </ul>	31/01/2022

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"> <li>• 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020</li> <li>• Site visited. Case conference to be held</li> <li>• Appeal received in relation to the EN for the residential use</li> <li>• Appeal started. Statement submitted for 16<sup>th</sup> June 2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with some amendments. Compliance by 11/12/2020</li> <li>• Site visit to be undertaken after 11/12/20</li> <li>• Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action.</li> <li>• Further visit to be done on 25/03/2021.</li> <li>• Site visit completed, Notices not complied with, file passed to Legal services for further action.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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"> <li>• Initial complaint logged by parish on 22/09/2015</li> <li>• Case was reopened following further information on the 08/12/2016/</li> <li>• Retrospective app received 01/03/2017.</li> <li>• 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.</li> <li>• Notice sever by recorded delivery 05/09/2018.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• Awaiting Planning Inspectorate Decision</li> </ul>	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"> <li>• Appeal dismissed. Compliance with both Notices by 05/08/2020</li> <li>• 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.</li> <li>• Court hearing in relation to structures and fencing/gates 03/03/2021</li> <li>• 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.</li> <li>• Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.</li> </ul>	

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"> <li>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</li> <li>12/07/2021 – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed</li> <li>Site visited on 13/08/21 all structures removed from the site.</li> </ul>	
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 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"> <li>Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019</li> <li>Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>Appeal has been submitted. Awaiting Start date.</li> </ul>	31/01/2022

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"> <li>• Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</li> <li>• Awaiting date of hearing from Planning Inspectorate.</li> <li>• Hearing date set for 02/02/2021.</li> <li>• Hearing adjourned until 09/03/2021</li> <li>• Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021.</li> <li>• Awaiting Decision</li> <li>• Appeal dismissed and partial costs to the Council</li> <li>• Compliance with Notice by 18/08/2021</li> <li>• Extension of time granted for compliance until 31/10/21.</li> <li>• Further extension granted until 15/11/2021.</li> <li>• <b>Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered.</b></li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> <li>• Enforcement Notice served 10/12/2019</li> <li>• Awaiting site visit to check on compliance</li> <li>• Site visit undertaken, summer house still in situ. Further action to be considered.</li> <li>• Property has now changed hands. Contact with new owner to be established.</li> <li>• Officers are now in contact with the new owners and are discussing a way forward.</li> <li>• Six weeks given for summerhouse, decking and steps to be removed.</li> <li>• New planning application has been submitted. Case on hold until determined.</li> <li>• Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned.</li> <li>• Summerhouse to be removed by 10<sup>th</sup> June 2021</li> </ul>	31/01/2022

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"> <li>Site visit to be undertaken.</li> <li>16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal.</li> </ul>	
ENF/2019/0307 /COND	21/10/2021	North	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"> <li>21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance.</li> <li><b>Appeal submitted. Waiting for start date.</b></li> </ul>	25/04/2022

## Committee Report

**Planning Committee North - 14 December 2021**

**Application no DC/19/2949/COU**

**Location**

Land Adjoining Broadland Sands  
Holiday Park  
Coast Road  
Corton  
NR32 5LG

**Expiry date** 18 September 2019

**Application type** Change of Use

**Applicant** Park Holidays UK Ltd

**Parish** Corton

**Proposal** Use of land for the stationing of static holiday caravans, construction of footway/cycle way, church parking area and associated works

**Case Officer** Joe Blackmore  
07887 454208  
[Joe.Blackmore@eastsoffolk.gov.uk](mailto:Joe.Blackmore@eastsoffolk.gov.uk)

### 1. Summary

- 1.1 This application seeks planning permission to extend the Holiday Park at Broadland Sands across a parcel of land to the west of the existing park. The scheme has been significantly amended, and reduced in scale, compared to a previous application (DC/18/0813/COU) that was refused by the former Waveney District Council Planning Committee.
- 1.2 The proposed development will allow Broadlands Sands Holiday Park to expand in the short-to-medium term but, longer term, enable The Park operation to be strategically moved away from the eroding coastline ensuring that the use can viably continue as an important tourism use with associated economic benefits.
- 1.3 The proposed scheme is now considered to be acceptable in terms of the impact on the significance of the Grade II\* Church, and the significant provision of green open space within the site is a welcome part of the amended layout because it will ensure the setting of the Church is preserved, whilst also offering valuable recreation/amenity space for visitors to

The Park. The provision of a car park for The Church is a minor but welcome benefit of the scheme.

- 1.4 In terms of highways safety matters, there are significant off-site works that will be required (as recommended by statutory consultees) but, with the appropriate conditions, this scheme will be acceptable in highways safety terms.
- 1.5 This revised application is considered to satisfactorily address the reasons the previous application was refused. The scheme accords with the Development Plan and there are no material considerations that would indicate for a decision other than approval. Officers are therefore seeking authority to approve the application subject to the necessary conditions/obligations, and subject to undertaking an Appropriate Assessment under the Conservation of Habitats and Species Regulations (2017) and reaching a conclusion of 'no likely significant effects'.
- 1.6 As this revised application follows on from a Planning Committee decision to refuse the previous scheme, the application has been referred direct to Planning Committee (North) for consideration.

## **2. Site description**

- 2.1 Broadland Sands Holiday Park ("The Park") is an existing caravan park of some 13.5 hectares located to the north of Corton and south of Hopton. The Park is accessed from the west via the Coast Road. To the east of The Park are the cliffs and Corton Beach.
- 2.2 The application site, known as 'Steeple Field' is a broadly rectangular parcel of land located to the western side of the Coast Road, and bound on its southern edge by Stirrup's Lane. The western side is bound by a dismantled railway line, and beyond that is countryside extending out to the A47 (Yarmouth Road). To the north of the site is a separate small touring caravan park in separate ownership. The site is flat, open arable land, bordered in part by trees and hedgerows.
- 2.3 The site lies to the west and within the setting of the Church of St. Bartholomew which is listed grade II\*.
- 2.4 Land to the east of the site, adjacent the Cliffs and extending east into Corton Beach, is all within an area subject of coastal erosion/change; this area is identified in the Local Plan as a coastal change management area (CCMA).
- 2.5 The site is wholly within the East Suffolk District, albeit at the very northern end of the District. Therefore, the neighbouring authorities and Parish Council have been formally consulted on this application.
- 2.6 Relevant Planning History for Broadland Sands Holiday Park
  - DC/18/0813/COU - *Change of use of land for the stationing of static holiday caravans, construction of footway/cycleway, church parking area and associated works.* Refused 21 December 2018.

- DC/18/3277/FUL - *Erection of New Swimming Pool Complex (D2/A5), Childrens Playground, Crazy Golf Course, Climbing Wall, Archery/Activity Space, Decking link to Existing Clubhouse and Associated Facilities.* Approved 04 October 2018.
  - DC/19/0920/COU - *Use of land for the stationing of static holiday caravans and associated works.* Approved 12 June 2019.
  - DC/21/4007/FUL - *Construction of new single storey rear extension to the existing clubhouse, new external timber pergola and associated landscaping.* Approved 15 October 2021.
- 2.7 The recent planning history indicates significant investment in The Park by the operator, Park Holidays UK Ltd. The key application from the site history is DC/18/0813/COU (hereafter referred to as “the previous application”); that application was refused by the former Waveney District Council Planning Committee, and a copy of the decision notice is appended to this report (see appendix 1), along with the minutes of that meeting (see appendix 2).

### **3. Proposal**

- 3.1 This application seeks full planning permission for the use of the land for the stationing of static holiday caravans, along with associated works including the construction of a footway/cycle way; car park for the Church; means of vehicular access; and other associated works.
- 3.2 The illustrative site layout plan indicates that the scheme would include up to 159 pitches. The final layout would be subject to the usual model standards caravan site licence requirements. All caravans would be sited on a concrete pad set at local ground level and connected to services in the usual way. No amenity buildings would be required, and visitors would utilise the facilities at the existing park.
- 3.3 The 159 pitches would be for Caravans that meet the relevant definition of a caravan set out in the Caravan Sites & Control of Development Act 1960 and the Caravan Sites Act 1968.
- 3.4 The site area is some 10 hectares and approximately 4.3 hectares of that (the southern half of the site) is proposed as open greenspace. The northern half of the site (approximately) is the location where Caravans would be sited.
- 3.5 This scheme is significantly reduced from that proposed in the previous application. The previous scheme saw Caravans sited across, essentially, the whole of the application site, which (subject to site licensing requirements) would have been potentially 250+ Caravans. This application therefore makes significant amendments/reductions to the scale of development in response to the refusal of the previous application.
- 3.6 Vehicle access to the site would be from Coast Road, directly opposite the existing vehicle access to The Park. In the south-eastern corner of the site a new car park for Church is proposed. Running north-to-south through the site, adjacent the highway, a footpath is proposed that would connect to the south-western corner of the site, potentially linking in to existing public rights of way.

3.7 A scheme of hard and soft landscape works is set out within the supporting documents

3.8 Within the updated Transport Assessment a series of off-site highways works are proposed; these will be detailed and considered in the highways/sustainable transport section of this report.

#### 4. Consultations/comments

4.1 17 neighbouring properties/local residents were consulted. Three representations of objection were received raising the following key concerns (inter alia):

- Increase in traffic that would be caused and the safety of individuals walking and cycling in this area.
- A public road through the middle of a holiday park, with a large number of children on site, is far from ideal, especially when it appears that facilities will be on one side of the road only.
- The siting of the Church car park entrance on a corner is not acceptable.
- Despite works to encourage traffic away from the A47/Stirrups Lane, the routes through the village will still be preferred.
- Local roads are unsuitable for current traffic levels, additional development will worsen that.
- There needs to be a strategic review of the A47.
- The area needs cycle/walkways between Gorleston and Lowestoft.
- This scheme would see the loss of primate, Grade 1 Agricultural land.
- The site is not allocated for development in the Local Plan.
- A new caravan site in the area is not needed. As adequate holiday accommodation already exists.
- Holiday accommodation should not expand to the west side of the Coast Road.

4.2 A letter of objection has been submitted by a group claimed to be 'Broadland Sands Owners'; it is not known if that is genuine or not. In any case, the material planning issues raised in that letter include:

- The current facilities and entertainment complex at the park is insufficient.
- The new swimming pool has not been built in accordance with DC/18/3277/FUL.
- The scheme presents a danger to vehicles on the narrow country lanes, along with pedestrians on these roads with no footways.

#### 4.3 Responses to Initial Round of Consultation (2019)

Consultee	Date consulted	Date reply received
Hopton on Sea Parish Council	25 June 2019	12 August 2019
Summary of comments: <i>Hello to Waveney Planning</i>  <i>This is Hopton on Sea Parish Council wishing to make a comment regarding the above application,</i>		

*which directly affects Hopton. We have been unable to comment via your portal as our postcode is not recognised, being in Norfolk.*

*The proposed route for traffic is via Longfullans Lane, Hopton-on-Sea, Norfolk. Longfullans Lane is a very narrow single track lane, with passing places. It is the national speed limit.*

*It is proposed that traffic for Broadland Sands uses Longfullans Lane. Traffic would first have to come into Hopton off the main A47, turning right onto Lowestoft Road and then up Longfullans Lane which exits opposite Potters Leisure Resort, turning right into Coast Road to Corton. The substantial traffic heading for Potters is already directed along this narrow route, including coaches and there have been many near-misses reported to the Parish Council. The volume of traffic would increase yet again with the influx of holidaymakers to Broadland Sands, making this narrow Lane a safety issue.*

*Whilst the application refers to additional passing places being made prior to any other work commencing at Broadland Sands, what this Lane needs is to be widened along the entire length. In addition some existing road signs are now obscured by overgrown vegetation and if this is to be the main access for Broadland Sands traffic, the Lane would need to be maintained on a more regular basis.*

*Can this road be made 30mph rather than the national speed limit, which would encourage safer driving.*

Consultee	Date consulted	Date reply received
Corton Parish Council	26 July 2019	12 August 2019

*Application DC/19/2949/COU – Broadland Sands Holiday Park*

*Following a recent Parish Council meeting we wish to make it clear that Corton Parish Council and the residents of Corton strongly, object to this planning application.*

*We are disappointed that it is only some 6 months since a similar application was declined and we fail to understand what has materially changed since then.*

*Broadland Sands, allegedly, want space to relocate caravans as the cliff erodes but it seems that they are adding to their existing caravan base. As far as we are aware there has been very little erosion in this area recently but if there is, in the future, where will the caravans go, as the new space will be filled with new caravans. A separate application was agreed only recently to add 62 caravans, 20 of which were relocations from the cliff, this new application would take the number to over 200.*

*The concern now is where will the caravans that need relocating, due to coastal erosion in the future, be located?*

*Our continued observations are as follows:-*

*Whilst Broadland Sands have commented there will be a crossing point at the main entrance with an additional 159 units sited on the west side of the Coast Road there is no guarantee residents would use this route.*

*The road is extremely dangerous, narrow and is used by a number of different types of vehicle including HGVs, buses, cars, etc.*

*Corton is becoming a very busy cut through to Lowestoft so more caravans, etc would only increase these numbers as it would be easier to come through our village rather than proceed northward,*

along the A47, towards Hopton.

There is no pavement, along the Coast Road, we already see holiday makers in the road walking towards both Corton and Hopton, which is a concern for public safety.

Broadland Sands main entertainment complex is on the east side of the Coast Road so the additional holiday makers would be crossing this road at all times of the day and night.

Broadland Sands have suggested putting a pedestrian crossing outside their entrance and reducing the speed limit from 60 to 30 mph, to address this problem. How will this be enforced and where will the restrictions start and finish? The road is historically fast, so traffic will not slow down immediately.

We already suffer with speeding traffic through our village where in a 30mph zone we regularly see vehicles travelling in excess of 60, 75 and even 80, as recorded on a number of occasions in July.

There are no plans to widen roads to Broadland Sands, it is suggested that the central access point on the A47 from Stirrups Lane be closed, as this is a dangerous junction.

However this would only encourage traffic from the south to come through Corton adding to the increasing traffic problems we see. The speed sign in Corton Long Lane recorded some 104,000 vehicles heading into Corton, from the A47, in July. Broadland Sands claim only part of the day is impacted by their holiday makers but we see holiday traffic throughout the day moving backwards and forwards from Lowestoft town, Tesco and other local shopping facilities.

An increasing number of caravans being erected in the area is spoiling the natural beauty. With the proposed new Lowestoft Garden Village only a stones throw away from this new site we are already facing an additional 1400 homes being added to the area and will need to face the impact of this over the next few years.

Corton Parish Council

Consultee	Date consulted	Date reply received
Norfolk County Council	2 September 2019	2 September 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Highways England	18 October 2019	18 October 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Highways England	26 July 2019	8 August 2019
Summary of comments: Recommend planning permission not be granted as further assessment is required (see further comments above).		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 July 2019	14 August 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Historic England	26 July 2019	15 August 2019
Summary of comments: Historic England has no objection to the application on heritage grounds subject to any grant of consent securing the implementation and maintenance of appropriate landscaping .		

Consultee	Date consulted	Date reply received
SCC Highways Department	26 July 2019	1 August 2019
Summary of comments: Holding objection until Transport Assessment has been submitted.		

Consultee	Date consulted	Date reply received
Sustrans (East Of England)	31 July 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	14 August 2019	14 August 2019
Summary of comments:  The site of this application is far inland of the Coastal Change Management Area (CCMA). It is not at risk from coastal erosion within 100 years therefore no Erosion Risk Assessment is required. However the development site is an ancillary development to a parent site that is based within the CCMA therefore there is a potential risk to the viability of the wider combined development sites from erosion affecting the part closer to the sea within the CCMA. CPE staff have been in consultation with the owners of the parent site on a number of projects in recent years, including potential private coastal management works that may reduce erosion risk to the site and are comfortable that the site owner is aware of the risks to the investment posed by coastal erosion. For these reasons no further information on coastal erosion risk is required from the developer.		

Consultee	Date consulted	Date reply received
ESC Environmental Health	26 July 2019	9 August 2019
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 July 2019	19 August 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Great Yarmouth Borough Council	26 July 2019	15 August 2019
<p>Summary of comments:</p> <p>Strategic Planning welcome being consulted on application DC/19/2949/COU and would make the following comments in regard to the application:</p> <ul style="list-style-type: none"> <li>• The infrastructure section of the local plan for the Waveney part of East Suffolk supports a pedestrian and cycle path between Hopton and Corton.</li> <li>• The scheme could be enhanced by improved connectivity through the west part of the site along the former railway tracks in conjunction with the North Lowestoft Garden Village allocation. A new cycle route towards Hopton-on-Sea and be in accordance with both the Waveney Local Plan and the emerging local plan for Great Yarmouth Borough.</li> <li>• The widening of Longfulans lane as proposed in the submitted Transport Assessment is supported through emerging draft HP1-dp. Norfolk and Norfolk County Council would be the local highway authority regarding this road.</li> </ul> <p>These aims are supported by:</p> <ul style="list-style-type: none"> <li>• Policy CS16 of the Great Yarmouth Borough Council Core Strategy stating an intention to improve linkages between existing 'green travel' routes.</li> <li>• Emerging Policies in the Local Plan Part 2 for Great Yarmouth Borough Council; I2-dp which seeks the use of former railway tracks to be safeguarded for development for cycleways/ footpaths. I3-dp which seeks a Gorleston to Lowestoft cycle route which "endeavours will be made to liaise with East Suffolk Council to bring forward improved provision from Hopton southwards to Corton and Lowestoft."</li> </ul>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	26 July 2019	14 August 2019

Summary of comments:

No objections, detailed comments include:

*The proposed development site does not contain any public rights of way, although Corton public footpath 4 runs southwards of the proposed development site. In addition, Corton public footpath 6 runs through the existing caravan site and Corton public bridleway 5 runs to the south of the existing site linking to the coast.*

*The plans depict a footpath/cycleway parallel to Coast Road and we would like clarification if this is available for public use. We would like to see this footpath/cycleway connecting at the southern end with Corton public footpath 4 that runs on the east side of the water treatment works linking Stirrups Lane with Corton centre and providing a walking route that avoids Church Lane.*

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	26 July 2019	3 September 2019

Summary of comments:

Comments included within report

Consultee	Date consulted	Date reply received
Natural England	26 July 2019	5 August 2019

Summary of comments:

No objections.

Consultee	Date consulted	Date reply received
Mr Nick Newton (ESC Arboriculture and Landscape)	26 July 2019	12 August 2019

Summary of comments:

Comments included within report.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	26 July 2019	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 July 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
ESC Environmental Health - Noise	26 July 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Private Sector Housing (Internal)	26 July 2019	3 October 2019
Summary of comments: No comments to make in respect of this application.		

Consultee	Date consulted	Date reply received
Economic Regeneration (Internal)	26 July 2019	8 August 2019
Summary of comments: <i>We would be supportive of any new tourism accommodation proposals that would strengthen the visitor economy in East Suffolk and enhance the diversity of the current offer, whether by means of conversion or new build. Self-catering accommodation was worth £12.4 million to the economy of East Suffolk in 2017 according to the Economic Impact of Tourism report. Tourism is a key driver of economic growth (seen in the East Suffolk Economic Growth Plan) and our primary aims, as described in the East Suffolk Tourism Strategy, are to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences. We would be pleased to see the creation of rural employment opportunities and the generation of income into the local economy as a result.</i>		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	26 July 2019	No response
Summary of comments: No response received		

#### 4.4 Responses to Re-Consultation Undertaken in 2021

Consultee	Date consulted	Date reply received
SCC Highways Department	12 November 2021	
Summary of comments: Awaiting final comments from SCC Highways to confirm their recommended conditions.		

Consultee	Date consulted	Date reply received
SCC Highways Department	25 June 2021	30 June 2021
Summary of comments: <i>In order to overcome the objection raised in our last highways response (dated 16/08/19), an amended plan showing the correct location for the new church car park access needs to be submitted, otherwise we would be accepting the plans showing it on the bend. Everything else we are happy to cover by planning condition.</i>		

Consultee	Date consulted	Date reply received
Norfolk County Council	25 June 2021	No response
Summary of comments: See previous comments that withdraw holding objection subject to conditions/informatives.		

Consultee	Date consulted	Date reply received
Highways England	25 June 2021	15 July 2021
Summary of comments: Recommend that conditions should be attached to any planning permission that may be granted.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	N/A	1 June 2021
Summary of comments: <i>RAMS and holiday uses are a slightly grey area as the evidence which underpins RAMS is based on the increase in residential units. However we do apply it to new tourist accommodation where they will be equivalent to residential unit (e.g. available all year round, a more permanent structure – so not tents or touring caravans), so we would normally apply it to static caravans. The only thing I do note from the planning statement for this application is that it says that the existing park is subject to coastal erosion and units are being moved away from the cliff, is the intention then that these</i>		

*'new' pitches replace ones that are being lost from the existing park? If that is the case then we couldn't seek a RAMS contribution as they can be considered replacement units.*

*I think the open space proposed on site is probably ok, as it is a reasonable size and has links to the existing wider rights of way network.*

4.5 No further comments from either Parish Council were received in response to the re-consultation undertaken in 2021.

## 5. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Major Application	2 August 2019	23 August 2019	Beccles and Bungay Journal

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Affects Setting of Listed Building	2 August 2019	23 August 2019	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: Major Application; Affects Setting of Listed Building. Date posted: 5 August 2019 Expiry date: 27 August 2019
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## 7. 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)

WLP8.15 - New Self Catering Tourist Accommodation (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.17 - Existing Tourist Accommodation (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)

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.26 - Relocation and Replacement of Development Affected by Coastal Erosion (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)

WLP8.34 - 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)

WLP8.36 - Coalescence of Settlements (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (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)

## **8. Planning considerations**

### Policy and Legislative Background

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section six of this report.
- 8.2 The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 (“The Local Plan”) and any neighbourhood plans in place (there is no such plan covering the parish of Corton).
- 8.3 The NPPF was updated in 2021 and is a key material consideration in decision-taking.
- 8.4 A screening opinion under the EIA Regulations was sought prior to an application being made. The Local Planning Authority concluded that an Environmental Statement was not required – i.e., the development was ‘screened out’, for EIA purposes.

### Principle of Development

- 8.5 The preamble to policy WLP8.15 sets out the importance of self-catering tourist accommodation to the Waveney Local Plan area's tourism sector. The policy is broadly supportive of small scale uses; requires medium sized sites to be well related to the A or B road network and public transport; and that larger developments of 80 units and above must:

*"be located in or close to Lowestoft, one of the market towns, or one of the coastal resorts of Corton, Kessingland or Southwold. They will need to demonstrate good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling. A Transport Assessment must be provided for sites of this scale. Large developments should also provide on site commercial, recreational or entertainment facilities to serve day-to-day needs of tourists."*

- 8.6 The detail of the Policy can be found at the link:

<https://eastsuffolk.inconsult.uk/consult.ti/eastsuffolkwaveneylocalplan/viewCompoundDoc?docid=11491476&partid=11512564#11512564>

- 8.7 The application site is located adjacent to the existing Broadland Sands Holiday Park, and will utilise all of its existing facilities and services. For a larger scale tourism development, it is preferentially located in the coastal resort of Corton and will expand an existing site, rather than creating a whole new Holiday Park.
- 8.8 The principle of the development is therefore entirely supported by the Local Plan spatial strategy and specifics of WLP8.15.

#### Heritage Considerations

- 8.9 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings:

*"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."*

- 8.10 This statutory requirement is reflected in the objectives of Local Plan policy WLP8.37 and also chapter 16 of the NPPF which sets out (inter alia):

- That heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para. 189);
- That applicants should describe the significance of any heritage assets affected, including any contribution made by their setting (para. 194);
- That great weight should be given to the conservation of heritage asset's and, the more significant the asset, the greater the weight should be (para. 199);
- That any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification; and
- That where harm would arise, it must be properly weighed against the public benefits of the development (paras. 201 & 202).

- 8.11 The applicant has provided a Heritage Assessment (HA) that meets the requirements of NPPF paragraph 194. In considering heritage matters, Officers have had regard to East Suffolk Council's Historic Environment SPD (adopted June 2021).
- 8.12 The application proposes the change of use of the land for stationing of static holiday caravans, the construction of a footway/cycle way, church parking and associated works to extend the existing Broadland Sands Holiday Park. The site lies to the west and within the setting of the Church of St. Bartholomew which is listed grade II\*.
- 8.13 The church dates from the fourteenth and fifteenth centuries but had fallen into ruination by the seventeenth century and was then subsequently partially restored. It lies outside the village to the north in a rural setting. It forms an isolated group with Church Farm on the opposite side of the road. In this open, flat landscape close to the coast the church tower forms a landmark. The rural setting allows views to the church, enhances its role as a landmark, and provides an attractive setting for the building.
- 8.14 The current proposal is to extend the holiday park to the west on the opposite side of the Coast Road. This field makes an important contribution to the setting and significance of the church. It provides an open area of attractive rural landscape which helps to convey the context in which the church has existed for much of its history and provides a pleasant setting for the building.
- 8.15 Historic England previously advised that development of the field would change the rural setting of the building. However, HE suggested limiting the development to the northern half of the field or to the north of the retained woodland would help to reduce the level of harm. The current scheme follows this approach, limiting the development to this northern area. HE considers that this would have a reduced impact on the significance of the church and, subject to appropriate planting including the field boundaries and the maintenance of this planting, the harm would be of a low level. The Council's Senior Design and Conservation Officer has also reviewed the scheme and concludes as follows:

*"I am of the view that providing the soft landscaping is adequate to maintain a visual screen throughout the whole year between the open green space and the static caravans and also provide some screening between the site and the highway, I do not object to the application receiving consent.*

*The setting of the church still is affected by the proposal to some degree, with the harm caused is considered to be less than substantial clause, as set out in 196 of the NPPF. Although less than substantial harm, this harm, is assessed to be low to medium."*

- 8.16 NPPF paragraph 196, referenced above, has now been superseded by a revised paragraph 202; however, the balancing test of public benefits weighed against less than substantial harm is essentially the same. For the purposes of this report, the balancing exercise will be undertaken in the conclusion section, but the low-to-medium level of harm to the setting of the Grade II\* Church will need to be given great weight in the balance, as required by NPPF paragraph 199.

## Highways Safety and Sustainable Transport

- 8.17 Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms. The NPPF sets out (inter alia) that:
- 8.18 Paragraph 110 - *“it should be ensured that... (b) safe and suitable access to the site can be achieved for all users”*; and
- 8.19 Paragraph 111 - *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 8.20 With the addition of 159 Caravans, Broadland Sands Holiday Park will have in the region of 690 units on site. The (updated) Transport Assessment (TA) sets out that the site is currently operating with no reported access issues, however the TA assessed peak traffic flows associated with the summer season. Importantly, this was carried out before the pandemic, so it would not have been influenced by any lockdowns or other restrictions and is therefore a more accurate reflection of the situation when hopefully things return to normal.
- 8.21 The traffic generation figures show that during the assumed AM and PM highway peak hours on the local network, the proposals in isolation will generate approximately 13 trips in the AM Peak and 43 trips in the PM Peak. The 11:00 – 12:00 period generates a similar amount of traffic as per the PM highway peak.
- 8.22 On average, this would create an additional vehicle trip every 90 seconds in PM peak, which is the worst case for the highway network (and an additional vehicle trip every 90 seconds in predicted holiday park peak).
- 8.23 Parking requirements are set out within the Caravan Site Licence issued by the Council as derived from Ministers Model Standards and are distinct from other parking standards. Such Model Standards generally require 1 No. parking space per pitch, together with sufficient additional parking to meet the needs of visitors and others.
- 8.24 There has been significant discussion between officers, the applicant’s agent, and the three relevant Highways consultees in this case (Suffolk County Council Highways Authority, Norfolk County Council Highways Authority, and Highways England).
- 8.25 SCC highlighted the potential issues regarding the junction of the A47 / Stirrups Lane, and traffic attempting to join the A47 from Stirrups Lane. A signing strategy was suggested which would encourage traffic exiting the site to avoid this junction. NCC have also requested a signing strategy to properly direct traffic to and from the site to ensure that all traffic is not directed along Longfulans Lane. Highways England have also required a signing strategy by condition.
- 8.26 It is therefore clear that conditions will need to secure this strategy pre-commencement and it will require the approval of all three highways consultees. However, in principle, all parties accept that traffic can be mitigated/managed in part by effective signage.
- 8.27 Part of the required mitigation is for a series of off-site highway works on Longfulans Lane, to widen the lane and provide several passing places to enable the better flow of traffic. This would be subject of condition and s278 agreement with the relevant Highways Authority.

- 8.28 In terms of the Coast Road in the vicinity of the site, crossing points will be delivered to enable safe access from the development, across the road, to the facilities at The Park. The TA plans show this to include signalised pedestrian crossings. The precise detail of pedestrian crossings would need to be secured via condition and s278 agreement with the relevant Highways Authority.
- 8.29 The scheme also includes a car park for the Church, to be located in the southeastern corner of the site. SCC Highways Authority have confirmed that, subject to the vehicle access to that car park being to the east, off Coast Road, that they are in a position to recommend conditions. SCC are to provide a full list of recommended conditions prior to the committee meeting, and those will be detailed for members in the update sheet published 24-hours before the meeting.
- 8.30 The Church car park would also include a dropped kerb pedestrian crossing, adjacent to bus stops. These off-site highways works would again need to be secured by condition and s278 agreement with the relevant Highways Authority.
- 8.31 The proposal includes a shared cycle/footway running within the site, north-to-south. Given the relationship of the site to a bridleway located to the south of the site which connects to Church Lane, officers recommend that a condition be applied to secure precise details of this footway/cycleway and how it can connect up to existing rights of way. This takes on greater importance with the likely development of North of Lowestoft Garden Village, and the Council's work on the Cycling and Walking Strategy to deliver this infrastructure across the District.
- 8.32 In terms of the main vehicle access into the application site, that is detailed in the TA with the required visibility splays and found by highways consultees to be acceptable.
- 8.33 For the reasons set out, with the appropriate conditions, the scheme is acceptable in highways safety and sustainable transport terms, in accordance with WLP8.21 and the NPPF.

#### Landscape and Visual Impact

- 8.34 The application is supported by a detailed Landscape and Visual Impact Assessment, and the Council's Arboriculture and Landscape Manager has provided detailed feedback on the scheme, raising no objections.
- 8.35 The site falls within the landscape character type H1 'Blundeston Tributary Valley Farmland', as defined by the Great Yarmouth and Waveney Landscape Character Assessment, which notes that the settlement edges of Lowestoft, Corton and Great Yarmouth create an urbanising influence. It is also noted that views are contained by a small to medium scale landscape partially contained by wooded skylines. The site is relatively well contained by trees including those along the former Lowestoft to Great Yarmouth railway line that runs to the west of the site, together with a copse of trees within the site. The site is also largely fringed with hedgerows and trees which also exist in the wider surrounding landscape. The consequence of this is that the site is relatively well visually contained with limited views to the sea, although church towers form historic markers in the landscape. Expansion of tourism related development has been a key force for change in recent decades. The landscape character assessment raises concerns over the potential for loss of open coastal edges to the landscape type through expansion of settlement edges. The use of native species planting to contain development edges is advised.

- 8.36 It is against this background that this proposed extension to the holiday park should be assessed. The submitted landscape assessment advises that the change from open farmland/scrub to holiday park will result in a substantial change in landcover/use. The majority of the development is not expected to exceed 4m. height and will be seen against the backdrop of the existing resort where views exist in the surrounding landscape. Therefore, it can be considered that there is a degree of contextual relevance. The assessment states that the significance of effects upon landscape character may be regarded as no more than slight adverse which is a conservative assessment but nonetheless a more realistic assessment still does not approach substantial significance, and this may be regarded as academic to a degree once mitigation measures are considered. Provided that the described mitigating planting is factored in, the significance of effects will reduce after 10-15 years to something nearer neutral, given also the prevailing character of the surrounding area.
- 8.37 As far as visual impacts are concerned, the assessment is thorough and realistic in its conclusions. It does not shy away from the fact there will be for PROW users in the immediate local area and adjacent to the site, substantial to moderate impacts for PROW users during the construction phase. These will reduce on completion and as mitigation planting takes effect to moderate to slight adverse impacts. Inevitably the significance of effects will reduce with distance from the site, and overall, it is assessed there will be no lasting significant adverse effects, and that includes for the nearest private resident receptors that have a view of the sites, and for users of the coast path.
- 8.38 The applicant has also submitted an arboricultural survey and impact assessment which has shown no significant impacts on trees arising from the proposed development. Also submitted are new tree, hedge and shrub planting proposals with an accompanying landscape management plan. Where these specifically deal with the boundaries to the new sites, they are suitable both for the prevailing local landscape character, and for the anticipated mitigation and screening benefits. Additional amenity planting is also shown for internal areas within the sites, which although somewhat limited in its extent, is suited to the prevailing growing conditions.
- 8.39 This current application comprises a notable reduction in the area of standing for caravans, and a significant increase in green open space at the southern end of the site which will, to a degree preserve the setting of the historic church. In terms of visual impacts, the development will have moderate adverse impact for some views in the immediate locality of the site, and these are expected to moderate over time as the proposed mitigation screen planting establishes and starts to mature. Whilst the change of land use from open field to caravan holiday park has some degree of harm to landscape character, it is balanced by the enhancement of the southern portion of the site as green open space from arable farmland which is considered as a benefit to landscape character.
- 8.40 As previously there are no significant identified impacts on existing trees, and the submitted landscape planting and landscape management plans are acceptable and may be regarded as approved plans in the event of planning permission being granted, and without the need for any additional landscape related Conditions.
- 8.41 Overall, there would be no adverse landscape and visual impact resulting from this application. The scheme accords with the objectives of WLP8.35.

### Residential Amenity

8.42 There are very few residential properties close to the site. Therefore, impacts on living conditions are more likely to be related to general traffic levels and any visual impacts arising from the development. For the reasons set out above, the proposal is considered acceptable in regard to these matters. The general tourism use will of course bring activity and some general disturbance, but the proposal will read as part of the existing tourism development and is unlikely to combine with that to bring about unacceptable residential amenity impacts. With the appropriate controls through conditions, the development of the site is of an acceptable scale to ensure that the amenity of nearby communities will not be harmed.

### Ecology and Biodiversity

- 8.43 Natural England have been consulted on the application and raise no objections.
- 8.44 An Ecology Report supports the application and concludes no adverse impact on protected and notable species. However, prior to the removal of trees T13, T14, T15 and T20, a licenced ecologist will need to undertake an inspection for bat roosts. It would therefore be appropriate for a planning condition to secure either: proof that no bats or bat roosts have been identified; or (if presence is identified) a copy of a European Protected Species Mitigation Licence from Natural England enabling lawful removal of the tree.
- 8.45 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). The LPA has been seeking appropriate mitigation of tourism uses in the zone of influence to ensure that there is no adverse effect on the integrity of Habitats Sites in East Suffolk.
- 8.46 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. Any recommendation to approve is on the basis that this contribution is secured (through planning obligation/legal agreement); or alternative evidence provided to demonstrate that the proposal will not result in an adverse effect on the integrity of Habitats Sites.
- 8.47 Subject to appropriate conditions and RAMS contribution (or evidenced alternative mitigation) the scheme would accord with the requirements of Local Plan policy WLP8.34, the NPPF, and the Conservation of Habitats and Species Regulations (2017) (as amended).

### Flood Risk and Surface Water Drainage

- 8.48 Local Plan Policy WLP8.24 sets out that new housing development will not be permitted in high-risk flood areas.
- 8.49 Chapter 14 of the National Planning Policy Framework (NPPF) sets out planning for flood risk:

- Development should be directed away from areas at highest risk (para. 162).
- Local planning authorities should ensure that flood risk is not increased elsewhere, and applications should be supported by a site-specific flood-risk assessment. Development proposals in higher risk areas should demonstrate that:
  - Within the site development is directed to the lowest risk areas;
  - The development is appropriately flood resilient and resistant;
  - The development incorporates sustainable drainage systems;
  - Any residual risk can be safely managed; and
  - Safe access and escape routes are provided. (para. 167)
- Major developments should incorporate sustainable drainage systems (para. 169).

8.50 The policy approach at a national and local level generally, therefore, is to make developments safe for all future occupiers through appropriate siting and design; and then ensure no adverse local impacts arising from the development through ensuring that development sites are well-designed incorporating sustainable drainage systems.

8.51 The application site is located in environment agency flood zone 1 (the lowest risk area) and therefore sequentially preferable for residential development, hence the allocation within the Local Plan.

8.52 The application is supported by a Flood Risk Assessment and Surface Water Drainage Strategy. The Environment Agency have not commented on the application. However, the Local Lead Flood Authority have reviewed the application and raised no objections subject to the appropriate conditions securing the proper implementation of the drainage strategy.

8.53 The scheme accords with WLP8.24 and the NPPF.

#### Coastal Change Management and Re-location of Development Affected by Coastal Erosion

8.54 Officers have sought advice from colleagues at Coastal Partnership East, who comment:

*“The site of this application is inland of the Coastal Change Management Area (CCMA) by a significant distance.*

*It is not at risk from coastal erosion within 100 years therefore no Erosion Risk Assessment is required.*

*However, the development site is an ancillary development to a parent site that is based within the CCMA therefore there is a potential risk to the viability of the wider combined development sites from erosion affecting the part closer to the sea within the CCMA.*

*CPE staff have been in consultation with the owners of the parent site on a number of projects in recent years and are comfortable that the site owner is aware of the risks to the investment posed by coastal erosion. CPE staff will be working with this owner in the near future about investment into a cliff top managed realignment to help slow the erosion. This approach will also deliver community benefit by enhancing the beach area below the*

*caravan park. For these reasons no further information on coastal erosion risk is required from the developer.”*

8.55 The proposed development will meet the objectives of policy WLP8.26, because it is a pre-emptive development to extend The Park onto land well outside of the CCMA. Therefore, if the existing Park has to continue removing Caravans due to coastal erosion, the proposed expansion to the west will ensure The Park has a viable future. The proposal is not a true ‘rollback’ scheme, because in the short-to-medium term it will be a simple expansion of the existing Park; however, longer term, it will futureproof the operation against coastal erosion risks. From a planning perspective, early planning for rollback is critical and that this scheme accords with the general aims of WLP8.26 is a key benefit. The Park is an important tourism asset in the local economy, and it is critical to ensure that it can continue to operate and adapt to the challenges of coastal erosion.

#### Other Matters

8.56 The site is fairly close to the strategic allocation – North of Lowestoft Garden Village (policy WLP2.13). This allocation will deliver:

- approximately 1300 new dwellings
- Retirement community comprising a care home / nursing home and extra care and/or sheltered dwellings;
- 2 form entry primary school and a pre-school setting (2.2 hectares);
- A local shopping centre comprising a convenience store, cafés, a pre-school setting, community centre and other local services;
- Playing field, play areas and green infrastructure; and
- 8 hectares of employment development (falling under use classes B1, B2 and B8).

8.57 Whilst the site is near to this strategic site allocation, it will not prejudice its delivery. The proposal is a tourism use and the allocation does not provide for that form of development. The associated off-site highway works mitigate the impacts of this tourism proposal, and any future application for North of Lowestoft Garden Village will need to be supported by its own Transport Assessment and deliver any mitigation or highways improvements required. In terms of this current application, there are no reasons to withhold permission based on the close proximity of a strategic site allocation; it appears the two developments can co-exist without issue.

#### Benefits of the Development

8.58 The current development at Broadland Sands is currently generating £14.84m per annum into the local economy. The proposed development of 159 pitches could add, according to the agent, a further £4.7m per annum into the local economy. The additional spinoff benefits into the local economy could add a further £8.5m per annum.

8.59 The Council’s Economic Development Team are supportive of the application.

8.60 Officers agree with the applicant’s claim that this is an important tourism asset that should be enabled to protect the existing accommodation and secure a long-term future for the park.

8.61 The change in holidaying trends as a result of the pandemic, and the rise of the 'staycation' further support that expansion of The Park will bring local economic benefits.

## **9. Conclusion**

9.1 The proposed development is a logical extension to The Park providing significant economic benefits, supporting an existing tourism use. The proposal would ensure that Broadland Sands Holiday Park can move inland over time, adapting to the challenges of coastal erosion in this area.

9.2 As an extension to an existing Holiday Park in the resort area of Corton, the proposal accords with WLP8.15 and the Local Plan spatial strategy in terms of larger scale tourism proposals.

9.3 The amended scheme has overcome the refusal reasons given in respect of the previous application. That approximately the southern half of the site will be green open space, along with the number of units reducing down to 159 Caravans, means that the harm to the setting of the Grade II\* Church is reduced to a low-to-medium level. Even giving great weight to that heritage harm, it is considered that the significant economic benefits of the scheme, in combination with other benefits, outweigh any harms arising. The required balancing test (at paragraph 202 of the NPPF) therefore indicates in favour of the scheme.

9.4 With regard to highways matters, there has been significant input from Suffolk and Norfolk County Council's in addition to Highways England. The local concerns about capacity of the road network to accommodate this development are noted and have been considered, but the application is supported by an updated Transport Assessment and the statutory consultees on highways matters raise no objection subject to a number of conditions being applied to a grant of planning permission.

9.5 The proposed scheme is acceptable in terms of landscape and visual impact and will integrate into its semi-rural context, subject to proper implementation of the landscaping strategy.

9.6 For the reasons given in this report, the scheme is considered to be an acceptable form of tourism development in accordance with the Development Plan. There are no other material considerations, in combination, that would indicate for a decision other than in accordance with the Development Plan.

## **10. Recommendation**

10.1 Authority to Approve, subject to conditions (including but not limited to those summarised in section 11 of this report); and subject to officers undertaking an Appropriate Assessment and concluding that the scheme will not have likely significant effects on European (Habitats) Sites.

## **11. Conditions:**

11.1 The following is a summary list of planning conditions. The full detailed wording will be provided to Members in the Update Sheet published 24-hours before the meeting.

1. Three-year time limit.
2. Development in accordance with approved plans (including the proposed landscaping plans and tree protection measures).
3. Landscaping - Implementation of proposed landscaping and tree protection measures, including re-planting during a 5-year period where required.
4. Drainage - Surface water drainage strategy to be implemented in accordance with approved FRA.
5. Drainage - Details of completed drainage strategy components/piped networks to be submitted for inclusion on the Local Lead Flood Authority's Asset Risk Register.
6. Drainage - Construction Surface Water Management Plan to be provided prior to commencement of development.
7. Archaeology - No development on a phase until a programme of archaeological work for that phase has been secured, in accordance with a Written Scheme of Investigation.
8. Archaeology - No caravans within a phase or sub-phase shall be occupied until the archaeological site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority.
9. Land Contamination - Standard condition requiring action if unexpected contamination encountered.
10. Design/External Appearance - 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 and approved.
11. Use - The approved static caravans shall be used for holiday/tourism accommodation only, and control of occupation period.
12. Number of Caravans and Location on Site - No more than 159 static caravans, 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 not be sited on the southern part of the application site denoted as 'Open Greenspace' on the Illustrative Site Layout.
13. Ecology – proof of no roosting bats, or copy of Natural England licence to be provided before tree work.
14. Rights of Way – prior to occupation of any Caravans, details of the public footway through the site, and its connection to existing public rights of way, to be submitted and approved. The route to then be implemented in a timely manner and retained for that purpose.

15. Highways - 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 and then implemented in a timely manner.
16. Highways – Prior to commencement of development, detailed drawings for the off-site highway improvement works (widening of Longfulans Lane and formalisation of passing bays and direction signing) to be submitted and approved.
17. Highways - No works shall commence on the site until such time as detailed plans of the proposed direction road sign (signing strategy) to and from the development have been submitted and approved in writing with the Local planning Authority.
18. Highways - off-site highway improvement works to be completed at the appropriate stage of development to ensure impacts are mitigated.
19. Church Car Park – details of construction, surfacing, layout etc to be submitted and approved prior to commencement of development.
20. Church Car Park – to be completed at the appropriate stage of development and retained for that purpose.
21. Construction period – Construction Management Plan to be submitted and approved prior to commencement of development.

### **Background Papers**

See application reference DC/19/2949/COU on [Public Access](#)

**APPENDICES TO REPORT ES/0984**

**DC/19/2949/OUT – LAND ADJOINING BROADLANDS SANDS HOLIDAY PARK,  
COAST ROAD, CORTON, NR32 5LG**

**Appendix 1**

Decision Notice for the previous application DC/18/0813/COU                      Pages 59 to 62

**Appendix 2**

Minutes of the meeting held on 11 December 2018 – see Minute 8                      Pages 63 to 75

**DC/18/0813/COU**

**AGENT**

Mr Ian Butter BSc FRICS MRTPI  
Rural & Urban Planning Consultancy  
121 Abbey Road  
South Shore  
Blackpool  
FY4 2PY

**APPLICANT**

Park Holidays UK Ltd  
Glovers House  
Glovers End  
Bexhill On Sea  
TN39 5ES

**REFUSAL OF PLANNING PERMISSION**

**Town And Country Planning Act 1990**

**The Town and Country Planning (Development Management Procedure)  
(England) Order 2015**

**Date Valid** 23rd February 2018  
**Site** Broadland Sands Holiday Park , Coast Road, Corton  
**Parish** Corton  
**Proposal** Change of use of land for the stationing of static holiday caravans,  
construction of footway/cycleway, church parking area and associated  
works

**WAVENEY DISTRICT COUNCIL** as Local Planning Authority hereby **REFUSE TO PERMIT** the development proposed in your application and plan(s) attached thereto.

The reason for the decision to refuse permission is:

1. The site is within the setting of the Church of St Bartholomew's a Grade II\* listed building. The proposed development would result in the partial loss of the rural setting of the church and have a negative impact on the setting of the church contrary to paragraphs 189, 190, 193, 194 and 195 of the National Planning Policy Framework and Policy CS17 and Policy DM30 of the adopted Waveney Local Plan. In this instance the benefits of creating additional tourism accommodation identified are not considered to outweigh the harm that would be caused as required under the Listed Building and Conservation Area Act 1990.

Planning and Coastal Management

Waveney District Council, Riverside, 4 Canning Road, Lowestoft, Suffolk, NR33 0EQ  
Telephone: (01502) 562111, E-mail: pbc@eastsoffolk.gov.uk  
DX: 41220 Lowestoft  
Website: www.eastsoffolk.gov.uk

2. The proposed addition of 347 caravans to the existing site represents overdevelopment and significant intensification of the existing use. This in turn would have implications on the local highway network, particularly Stirrups Lane, Longfullans Lane and Coast Road which are narrow, unlit rural roads. The application has not been supported by sufficient evidence to demonstrate to the local planning authorities' acceptability that this harm can be mitigated i.e. through road improvements, signage strategy and appropriate crossing points of the roads. The proposal is therefore contrary to paragraph 109 of the National Planning Policy Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact and the residual cumulative impacts on the road network. In this particular instance the local planning authority is of the opinion that the potential impact on the surrounding network has not been sufficiently considered.
  
3. The proposed change of use of land noted as site 2 within the application would intrude into the open countryside and associated strategic gap and would impact on the current open character of the site contrary to policy DM28 - Strategic Gaps and Open Breaks which states that in order to prevent coalescence of settlements, development will not be permitted where it would prejudice the aims of maintaining the open character of the Strategic Gaps and Open Breaks, between Corton to the south and Hopton to the north, as identified on the adopted Waveney Local Plan Proposals Map.

## Notes

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.



Philip Ridley BSc (Hons) MRTPI  
Head of Planning & Coastal Management  
Suffolk Coastal and Waveney District Councils

Date: 21st December 2018

Planning and Coastal Management

Waveney District Council, Riverside, 4 Canning Road, Lowestoft, Suffolk, NR33 0EQ  
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## PLEASE READ NOTES BELOW

### TOWN AND COUNTRY PLANNING ACT 1990

#### NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

##### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.  
Planning applications: Sections 78 and 79 Town & Country Planning Act 1990  
  
Listed Building applications: Section 20, 21 and 22 Planning (Listed Buildings and Conservation Areas) Act 1990.  
  
Advertisement applications: Section 220 and 221, Town and Country Planning Act 1990  
Regulation 15 Town & Country Planning (Control of Advertisements) Regulations 1989.
- If an enforcement notice has been/is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed,

Planning and Coastal Management

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having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice

#### Planning and Coastal Management

Waveney District Council, Riverside, 4 Canning Road, Lowestoft, Suffolk, NR33 0EQ  
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Website: [www.eastsoffolk.gov.uk](http://www.eastsoffolk.gov.uk)

Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft  
on **Tuesday, 11 December 2018** at **6.00pm**

Members Present:

P Ashdown (Chairman), N Brooks, J Ceresa, G Elliott, J Ford, T Goldson, M Pitchers, C Rivett and K Robinson.

Officers Present:

L Beighton (Planning Development Manager), C Green (Senior Planning and Enforcement Officer), I Robertson (Area Planning and Enforcement Officer), M Van de Pieterman (Area Planning and Enforcement Officer) and S Carter (Democratic Services Officer).

In attendance:

Councillor M Rudd  
T Warnes (Planning Services Support Officer)

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**1 APOLOGIES / SUBSTITUTES**

Apologies for absence were received from Councillors Groom and Ladd.

Councillor Robinson attended the meeting as a Substitute for Councillor Ladd.

**2 MINUTES**

**RESOLVED**

That the Minutes of the meeting held on 16 October 2018 be approved as a correct record and signed by the Chairman.

In response to a Member's question, the Chairman confirmed that the minutes of the November meeting would be included with the Agenda for the Planning Committee meeting being held in January 2019.

**3 DECLARATIONS OF INTEREST**

Councillor Goldson declared a Local Non Pecuniary Interest in Item 10 – DC/18/3395/FUL – 8 The Street, Wissett, Halesworth, as being County Councillor for the area.

**4 DECLARATIONS OF LOBBYING**

Councillor Ashdown declared that he had received communications in relation to Item 8 – DC/18/0813/COU – Broadland Sands Holiday Park, Coast Road, Corton and Item 9 – DC/18/4224/FUL – Ingate House, London Road, Beccles.

Councillor Brooks declared that he had received communications in relation to Item 9 – DC/18/4224/FUL – Ingate House, London Road, Beccles.

## **PLANNING COMMITTEE – 11/12/2018**

Councillor Elliott declared that he had received communications in relation to Item 9 – DC/18/4224/FUL – Ingate House, London Road, Beccles.

### **5 APPEAL DECISIONS REPORT**

The report of the Head of Planning and Coastal Management advised the Committee that one appeal had been determined in October 2018 and that had been dismissed.

#### **RESOLVED**

That the report concerning Appeal Decisions in October 2018 be noted.

### **6 DELEGATED CHIEF OFFICER DECISIONS**

The report of the Head of Planning and Coastal Management informed Members of all the Chief Officer delegated planning decisions made during October 2018.

#### **RESOLVED**

That the report concerning the Chief Officer Delegated Planning Decisions made during October 2018 be noted.

### **7 ENFORCEMENT ACTION – CASE UPDATE**

The report of the Planning Development Manager provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 23 November 2018. There were currently six cases.

#### **RESOLVED**

That the report detailing the outstanding Enforcement Matters up to 23 November 2018 be received.

### **8 DC/18/0813/COU – BROADLAND SANDS HOLIDAY PARK, COAST ROAD, CORTON**

The Area Planning and Enforcement Officer presented the application which was for a change of use of agricultural land for the stationing of static holiday caravans and lodges, construction of footway/cycleway, church parking area and associated works. The proposal was for an extension to the existing facility of Broadlands Sands in Corton and was considered necessary to futureproof the business due to coastal erosion and roll-back.

The application was before Committee due to the scale of the development, and for economic, tourism, business and conservation issues regarding the proximity of the Grade II\* Listed church and the wider setting. Broadland Sands was a well-established holiday centre located to the eastern side of Coast Road, accessed via the A47 and the proposed expansion of the holiday park had been made possible by the purchase of the immediately adjacent farmland. The existing site had had planning permission in 2014 for a previous extension which was currently under construction and proving to be popular with owners and visitors alike.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views along Stirrups Lane, the boundary of the large western site (currently used for motor cross), the open space looking towards the church and views along Coast Road. A master plan was displayed which showed all sites and access arrangements and gave an indication of the 15 year planting proposal.

The Area Planning and Enforcement Officer explained the key issues including the principle of the development, the setting of the Listed building, coastal erosion, ecology and various matters relating to the economy, employment and tourism. Highways had been consulted and they were satisfied with the proposals.

Whilst the application was finely balanced given the potential impact of the development relating to the issues within the wider setting of the Listed building, the proposal had to be considered against the potential investment in coastal improvements, coastal roll-back and the benefits that the park extension would bring to tourism, employment and the local economy. It was the officers' opinion that the proposal broadly complied with local planning policy and the proposed extension was acceptable. The benefits would outweigh the potential harm to the setting of the listed building, particularly given the level of landscaping and the creation of additional parking for the church for which there was currently under provision.

Mr P Armstrong – Corton Parish Council

Mr Armstrong advised that the Parish Council's main concern was the traffic and access to the site; all the roads were narrow, winding and unsuitable for extra traffic. The survey conducted had been undertaken in January and was not a reflection of daily or summer traffic when visitors to the area increased traffic on the roads. There were no local sources where provisions could be purchased and the nearest supermarket was Tesco's. Corton Long Lane was the main route leading to the site and the average daily use was 3,466 vehicles in October and that was in one direction only. The proposal would create an additional traffic overload on an already busy road. The proposed new entry points to the sites were opposite each other and the proposed parking area for the church was on a sharp bend which would cause issues for the congregation and visitors alike. Coast Road had no street lights, there was a 60mph limit which was not adhered to, and the site was in a water stressed area which was already subject to low water pressure. The whole proposal would have a detrimental effect and damage the local habitat. In addition, there was no provision for such a development in the Local Plan.

Mr I Constable – Hopton Parish Council

Mr Constable thanked Members for being given the opportunity to address the Committee and he explained the objections relating to traffic and ecology. Suffolk County Highways originally objected to the proposal but the new route for traffic through Hopton was more unsafe than via Stirrups Lane. It was the main route to Potters which had some 700 traffic movements per day in the height of the season. Mr Constable explained that Hopton on Sea, with its holiday village similar to Corton, had a population that doubled or trebled in the summer season. He commented on the speed awareness analysis and that Hopton was the main route for residents. Traffic could be directed from the A47 along another route so that the traffic infrastructure would not be over-burdened. The traffic survey in January 2017 did not give accurate usage and would not take into account the peak season traffic during

Easter and the summer holidays. At peak times there was a traffic moment every 40 seconds. With proposed developments in the adjoining district, were the views of Norfolk County Highways actually sought?

Mr J Nichols – Objector

Mr Nichols' objections included the fact that the development would be taking place on prime grade one agricultural land which should enjoy protection from development. It was a greenfield site that should remain as such and it was not cited in the Local Plan for development. It might be acceptable for additional caravans on the existing site but encroachment on the land to the west was unacceptable with the already adequate holiday accommodation in the area. Additional 400 units would have a serious local impact on the residents and the surrounding roads were already inadequate. Stirrups Lane was a narrow, single track with a few passing places and its junction with the A47 was dangerous. There would likely be fatal accidents. The proposal failed at every hurdle and the site should be protected from development. The Planning Committee should not approve an application which was outside the Council's guidelines.

Councillor M Rudd – Ward Member

Councillor Rudd thanked Members for being given the opportunity to speak. The villagers in Corton were concerned about road safety, additional traffic and unlit roads with no footpath. She questioned how any new caravans would be delivered to the site with Stirrups Lane not being appropriate and if the A47 was used the turning at the top of the lane was unsuitable; it would be impossible for HGVs to get to the site. When was the traffic survey undertaken? Whilst appreciating the conditions in the recommendation, Councillor Rudd commented that there was no new clubhouse on the western site and there was a further issue with buses. It was surprising that the County Highways were happy with the proposal.

Mr I Butter - Agent

Mr Butter explained that Broadlands was a local important business in the area and the proposals in the application would ensure the preservation of the site. The scheme proposed a number of things including new improved holiday accommodation and it would relieve pressure on the existing park as a result of coastal erosion. There would be benefits for the local community including safe walkways/cycle path, footpath links and improvements to the roads. In addition, there would be a new car park for the church and the scheme would be fully landscaped so as not to affect the views. The application site was the only option available for improving Broadlands and it would meet local needs. Mr Butter asked that Members support the application.

Questions for Agent

Members asked specific questions relating to:

- Reducing the use of Stirrups Lane.
- Pedestrian crossing on Coast Road.
- Expansion on the east side affected by coastal erosion.

- Timing of traffic surveys.
- Road widening in Longfullans Lane and Stirrups Lane.
- Pressure on roads.
- The use of agricultural land.
- The disused railway line.
- Issues associated with the 200+ houses proposed on Longfullans Lane.

Mr Butter advised that there was no control over how people arrived and left the site, there had been discussions on reducing the speed limits on some roads, the need for footway/cycleway had been identified and the type of pedestrian crossing at the entrance to the site had yet to be determined. There was a need to relocate some caravans away from the coast as it receded and this was the first phase of a long term plan. Figures on erosion were not to hand but Mr Butter could confirm that two years ago, 20m had been lost. The result of the traffic survey had been discussed with County Highways and it was recognised that there would be peak periods in the summer. Road widening could be undertaken by using the verge to provide a purposeful two way route. A full signage strategy was being proposed and, at the present time, there had been no proposal to close the central reservation near Stirrups Lane for safety reasons; however, that could be considered.

Mr Butter explained that the northern end of the western site was not grade I agricultural land and currently such land was not necessarily protected. The old railway line was outside the development site. Both Suffolk and Norfolk County Highways had been consulted and the proposal was not an issue with Norfolk County Council.

#### Questions to Officers

In response to questions, the Planning Development Manager confirmed that Norfolk County Council was consulted on the application and it would have considered this application in conjunction with proposed developments in its area. No objections had been received; they were content with the proposal. The Area Planning and Enforcement Officer explained and displayed the proposed planting in conjunction with the church.

#### Debate

Members expressed some serious concerns over the proposed development, particularly on the western side of the site. Although it was necessary to combat coastal erosion, the need for the proposed development was questionable particularly with regard to the traffic, the impact on the heritage site and the loss of an area classed as a strategic gap. There would be a significant effect on both settlements at Corton and Hopton and other proposed developments in the Waveney and Great Yarmouth areas. Whilst recognising the positives with regard to tourism and economic development matters, the coastal erosion could not be ignored. However, the capacity on the existing roads was a major concern and having site entrances on opposite sides of the road was a disaster waiting to happen.

The Chairman proposed a proper detailed site visit be arranged should Members so wish before making their decision. Members were unsure that a site visit would add value to their consideration of the application. The effect on the setting of the Grade II Listed church should seriously be taken into consideration and the entrance to the new car park, although

beneficial, could create other difficulties. The roads were currently unsuitable and the traffic survey had not given a true reflection of volume of traffic. It was suggested that Highways England could be consulted with regard to the junction of Stirrups Lane with the A47.

There being no further discussion, it was proposed and duly seconded that the application should be refused and it was unanimously

**RESOLVED**

That, contrary to the officer's recommendation, permission be refused for the following reasons, the final wording of which has been agreed with the Chairman and Vice-Chairman of the Committee:

1. The site is within the setting of the Church of St Bartholomew's a Grade II\* listed building. The proposed development would result in the partial loss of the rural setting of the church and have a negative impact on the setting of the church contrary to paragraphs 189, 190, 193, 194 and 195 of the National Planning Policy Framework and Policy CS17 and Policy DM30 of the adopted Waveney Local Plan. In this instance the benefits of creating additional tourism accommodation identified are not considered to outweigh the harm that would be caused as required under the Listed Building and Conservation Area Act 1990.
2. The proposed addition of 347 caravans to the existing site represents overdevelopment and significant intensification of the existing use. This in turn would have implications on the local highway network, particularly Stirrups Lane, Longfullans Lane and Coast Road which are narrow, unlit rural roads. The application has not been supported by sufficient evidence to demonstrate to the local planning authorities' acceptability that this harm can be mitigated i.e. through road improvements, signage strategy and appropriate crossing points of the roads. The proposal is therefore contrary to paragraph 109 of the National Planning Policy Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact and the residual cumulative impacts on the road network. In this particular instance the Local Planning Authority is of the opinion that the potential impact on the surrounding network has not been sufficiently considered.
3. The proposed change of use of land noted as site 2 within the application would intrude into the open countryside and associated strategic gap and would impact on the current open character of the site contrary to policy DM28 - Strategic Gaps and Open Breaks which states that in order to prevent coalescence of settlements, development will not be permitted where it would prejudice the aims of maintaining the open character of the Strategic Gaps and Open Breaks, between Corton to the south and Hopton to the north, as identified on the adopted Waveney Local Plan Proposals Map.

Note: Councillor Rudd left the meeting at 6.58pm.

**9 DC/18/4224/FUL – INGATE HOUSE, LONDON ROAD, BECCLES**

The Senior Planning and Enforcement Officer presented the application which was for the conversion of and extension to existing outbuildings to form a new dwelling. The application before Members followed earlier applications which had been refused on the grounds of overdevelopment, harm to the outbuildings which were in the extended Conservation Area and the loss of an undesignated asset might become a material consideration.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including views of the site, Ingate House, current entrances one of which would be widened to 4.5m, the stable area and shed, former kitchen garden and the proposal to sub-divide the garden to allow spaciousness.

The Senior Planning and Enforcement Officer explained the site plan and elevations would result in no loss of privacy. The windows had been realigned to avoid overlooking towards the older persons home. The design itself respected the heritage of the area. He outlined the key issues with regard to visual amenity, street scene, landscape, heritage considerations and residential amenity. County Highways had considered the safety aspects and parking provision to be sufficient. It was considered that the revised proposal made better use of the existing outbuilding retaining much of the elements facing the street and approval was being recommended subject to the removal of permitted development rights.

Ms Page – Objector

Ms Page, a local resident, thanked the Committee for being given the opportunity to speak. She lived opposite the rear of Ingate and explained that this was not appropriate as the site was in the Conservation Area. Despite the plans incorporating an existing building, the proposal was no more than another new build due to its size. The three large apartments in Ingate House were provided with a total of 3 parking spaces. None were occupied, so how could that cope with residents with a minimum of two cars per apartment and visitors needing parking too. It would mean additional cars on the already congested roads. It was already a struggle for residents to get in and out of their driveways and the development would only increase road safety issues. Ambulances needing to access the immediately adjacent care home already had many problems reaching the building. The site was not appropriate for another dwelling, the heritage should be respected and the Council needed to conserve and protect the Conservation Area.

Questions

It was suggested that the building could be classed as a new residence and not a converted building. In response to that, the Senior Planning and Enforcement Officer advised that the volume was increased in the central section of the stable block, but the footprint was increased by under 10sqm.

Debate

Members commented on their reservations due to previous historic issues, whether the proposal could be considered as overdevelopment of the site in a Conservation Area, the additional entrance and the fact that one parking space per flat was insufficient.

However, it was suggested that it was a good plan to utilise a derelict outbuilding with a character design. On a proposal to approve the application which was duly seconded, it was

**RESOLVED**

That permission be granted on the amended plan with permitted rights removed for roof windows etc. on the east elevation (the north elevation fronts the highway and so is covered by the conservation area controls) and subject to:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in all respects strictly in accordance with drawings 111 revision A and 120 revision E and 110; received 31st October 2018, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order) (with or without modification), no windows, roof windows, roof-lights or dormers [other than those expressly authorised by this permission] shall be constructed on any upper floor elevation.
4. The first floor east facing roof-lights shown in the amended plans serving the master bedroom shall be glazed with opaque glass, or other appropriate screening and shall be fixed shut if the lowest part of the glazing to the windows falls below a height 1.7m measured vertically from the finished floor level in that room, and shall be retained in that condition, unless otherwise agreed in writing by the Local Planning Authority.
5. Before occupation of the new residence here approved, written and drawn details of the means by which the widened entrance in the boundary wall shall be detailed and shall be submitted to and approved by the Local Planning Authority and before use too the works shall be enacted to the approved details. The information shall include details of piers, brick type and mortar mix to be employed.
6. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 4.5m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
7. Prior to the development hereby permitted being first occupied, the vehicular access onto St Georges Road 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.
8. Before the development is commenced details shall be submitted to and approved in writing by the County 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.

9. The use shall not commence until the area(s) within the site shown on Drawing No. 110 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.

#### 10. 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 site investigation consisting of the following components has been submitted to, and approved in writing by, the Local Planning Authority:

##### 1) A desk study and site reconnaissance, including:

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

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

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

#### 11. Remediation

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 Local Planning Authority. 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.

**12. Implementation of remediation**

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

**13. Validation**

A validation report must be submitted to and approved in writing by the Local Planning Authority 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 2 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.

**14. Unexpected contamination**

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.

**10 DC/18/3395/FUL – 8 THE STREET, WISSETT, HALESWORTH**

The Area Planning and Enforcement Officer presented the application which was for an additional static caravan at an existing site situated to the rear of The Plough public house.

The Committee was reminded that, in January 2017, approval had been granted for three static caravans to support the public house which had previously been closed. Having been refurbished, the pub was now open and subsidised by the income received from the caravans. The application was before the Committee due to a Member call-in.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including a cross section and site layout, an elevational view, the post and rail fence, views to and from the entrance, the proposed site for the fourth caravan and the location of neighbouring properties.

The Area Planning and Enforcement Officer explained the key issues with regard to possible impact on the Conservation Area, landscape, neighbours amenity and the need for an additional caravan. Complaints had been received with regard to invasion of privacy, noise from traffic, additional lighting and headlights and the quality of the planted hedge. Comment had been made that the caravans were not being used for holiday lets only. The Area Planning and Enforcement Officer explained the proposal complied with local plan policies, particularly tourism and the economy, the benefits of providing holiday accommodation and the financial support for the public house which was considered an asset to the local community. The permission was for a five year period only, so any continuation of the site would need to be subject to a further application after January 2022.

Local residents had complained about some disturbance possibly from workers having been in occupation and making an early morning start. It was considered that appropriate monitoring and a log of guests for short term lettings would resolve any problems that might have occurred. It was considered that the limited harm from an additional caravan was outweighed by the benefits of the proposal and approval was being recommended.

Mrs Duran – Objector

Mrs Duran spoke on behalf of those people who had written in objecting to the proposal. It was a rural area, dark and quiet, now spoilt with bright cream caravans. They were overbearing in a Conservation Area and had a large impact on the surrounds as the site was within green gardens and fields, leaving a scar on the valley. The light pollution from bulkhead lights and other lights was considerable on a dark night and the noise in a quiet area affected local properties. One more caravan would create even more impact to the detriment of the neighbourhood. Issues had arisen with transient strangers in the area and there had been anti-social behaviour with tree climbing and footballs being kicked around, which showed no respect for the area. There was no manager on site, so nothing was being controlled.

Questions

Members asked specific questions regarding access, planting and the appearance of the caravans.

The Area Planning and Enforcement Officer explained that the adjoining land was not part of the application site; a gate in the fencing allowed access. The boundary had been planted with natural species hedging during 2017 which was not yet well established. Members noted that it had been a difficult season with little water. The original application had been approved with a condition to control the appearance of the caravans and that had been complied with.

Debate

Members noted that the public house had been run successfully in recent months and understood the importance of it being subsidised by the income provided by the quality caravans. It would be disappointing to lose such an important village asset. Even though the planting had been undertaken as requested, it was disappointing that the hedge had not grown sufficiently to provide further screening.

The Planning Development Manager confirmed that condition 7 would ensure the caravans could not be sold or used independently; they would remain in the ownership of the public house. Members requested that it be made clear to the applicant that the caravans should be used for tourism only as per the relevant condition and that the enforcement officers should keep a strict check on the site. A local Member explained that the caravans had been rented to workers in the area and that type of letting might become necessary again with the forthcoming Sizewell project. The Planning Development Manager referred to condition 3 in that no unit should be occupied for more than 28 consecutive days in any calendar year by the same person(s) and a log of lettings would need to be maintained and available for inspection. That would comply with the 'holiday' letting criteria. There was little difference between a holiday let and a short term let and, in fact, there might be more traffic if people were using the caravans for holidays.

Members agreed that the conditions should be reiterated and enforced accordingly and there being no further discussion, it was unanimously:

**RESOLVED**

That permission be granted, subject to the following conditions:

1. The development hereby permitted shall be until 18 January 2022, to coincide with the temporary period specified on planning permission for the caravan park ref: DC/16/4494/FUL, after which time the caravan shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority.
2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. AWC/18/755-202 and 201; received 22 August 2018, 102C and 103B received on 21 November 2018 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.
3. The approved holiday unit(s) shall be occupied solely as holiday accommodation and for no other purpose whatsoever including residential use. No unit shall be

occupied for more than 28 consecutive days in any calendar year by the same person or persons. The owner shall maintain, and keep available for inspection at all reasonable times, an up-to-date register of lettings.

4. Details of any lighting shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development. Development shall be carried out in accordance with the approved details.
5. A plan indicating the positions, species, sizes and mix of hedging plants to be erected along the eastern boundary to supplement the existing planting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
6. The boundary treatment shall be completed before the first occupation of the caravan or in accordance with a programme agreed with the Local Planning Authority. Any trees or plants which, within a period of 3 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.
7. The additional caravan permitted shall form part of the caravan site, the site shall not be sold or leased independently of the property known as 'The Plough Public House' 8 The Street, Wissett.

The meeting concluded at 7.48pm.

Chairman

## Committee Report

### Planning Committee North - 14 December 2021

Application no DC/21/4450/FUL

**Location**

The Mission Hall  
St Georges Road  
Lowestoft  
Suffolk  
NR33 0JP

**Expiry date** 24 November 2021

**Application type** Full Application

**Applicant** Coastal Properties (EA) Ltd

**Parish** Lowestoft

**Proposal** Conversion of Mission Hall into dwelling and construction of new dwelling

**Case Officer** Matthew Gee  
07901 517856

[matthew.gee@eastsoffolk.gov.uk](mailto:matthew.gee@eastsoffolk.gov.uk)

#### 1. Summary

- 1.1. Planning permission is sought for the conversion of the existing Mission Hall into a single dwelling, and the construction of a two-storey dwelling to the south-west, with a parking area in between. The Mission Hall has been designated as an Asset of Community Value (ACV); however, the property has been marketed and passed through the moratorium period. This period allows the nominating group to prepare and submit a bid to the owner to purchase the asset (the 'right to bid'), it is however understood that no bid was made. It is therefore deemed unlikely that the building will be brought back into community use when the ACV designation and period of marketing has not seen a community group come forward with a bid for the property.
- 1.2. However, the wording of policy WLP8.22 (Built Community Services and Facilities) states: *"Proposals to change the use, or redevelop for a non-community use, a facility registered as an asset of community value will not be permitted."* The proposal is, therefore, a technical departure from that policy and brought direct to Planning Committee (North) for determination. For the reasons set out in this report, officers consider there are clear

material reasons to depart from that policy and grant planning permission for the proposed development.

- 1.3. The overall design of both the new build dwelling and conversion dwelling is seemed to relate well to the mixed character of the area, and the proposal would not adversely impact on the amenity of neighbouring residents. Furthermore, the proposal is considered to have no adverse impacts on highway safety in the area, and that view is reinforced by the position of Suffolk County Council Highways Authority. The proposal is considered to have overcome the concerns around highway safety and poor layout design that the previous application (DC/21/1035/FUL) was refused on. Therefore, whilst there is a technical departure from policy in regard to the change of use of an ACV, the proposal provides a long-term use for a historic building and provides two additional dwellings into the housing stock. To prevent a change of use purely on the ACV designation, despite that designation in this case not leading to a community/nominating group making a bid on the property, would only serve to unnecessarily prevent development and potentially blight the property. The aim of the ACV designation is to offer that 'right to bid', should the property be put up for sale; as that has happened, and the moratorium period passed, it is considered that an appropriately designed change of use scheme can be consented. Therefore, it is recommended that planning permission be granted.
- 1.4. The Town Council have recommended approval of the application, and no objections have been received from any consultees. However, the proposal is a departure from the wording of policy WLP8.22 and, therefore, the application is brought direct to Planning Committee (North) for determination

## **2. Site description**

- 2.1. The site is located within the settlement boundary for Lowestoft, and comprises the former Friends Mission Hall, and an area of grass land used for parking for the hall to the south-west. The site fronts St Georges Road to the south, and there are residential dwellings to the north, east, and west.
- 2.2. St Georges Road is primarily residential, but the wider area sees a mix of residential and commercial uses.
- 2.3. The site is not in a conservation area or within any other Local Plan defined area, aside from the defined settlement boundary.

## **3. Proposal**

- 3.1. Planning permission is sought for the conversion of the existing Mission Hall into a single dwelling, and the construction of a two-storey dwelling to the south-west, with parking between.
- 3.2. Each property will have a rear garden accessed from the dwelling, as well as parking for two on-site parking spaces for each dwelling. Bin Storage and cycle storage is present at the rear of the site within the defined curtilages. On collection day, bins would likely be presented adjacent the vehicle access – it appears that bins could be sited within the curtilage, adjacent the low frontage wall, without impeding the highway/footway.

- 3.3. The application has been amended during the course of the consideration period to reduce the overall height of the front wall to 600mm to conform to highways visibility requirements.

#### 4. Consultations/comments

- 4.1. In total three letters of representation have been received over the consultation period for this application, these comprise of:
- 4.2. Two Letters of objection, raising the following key points (inter alia):
- No objections to conversion of the hall
  - Loss of light
  - Loss of privacy
  - Increased noise pollution
  - Drainage concerns
  - Impact on parking and traffic
  - Impact on protected species
  - Bungalow would be more ideal
- 4.3. One Letter of representation neither supporting nor objecting raising the following key points:
- Lack of detailed design consideration
  - Loss of sunlight, moonlight and starry skies
  - Loss of privacy
  - Lack of Construction Site Management Plan

#### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	1 October 2021	21 October 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 19 October 2021. It was agreed to recommend approval of the application.		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	1 October 2021	22 October 2021
Summary of comments: No objections subject to conditions.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	1 October 2021	11 October 2021
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	1 October 2021	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 October 2021	19 October 2021
Summary of comments: No objections subject to standard contamination conditions		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	1 October 2021	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	1 October 2021	No response
Summary of comments: No comments received		

### 5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 October 2021

Expiry date: 28 October 2021

### 6. Planning policy

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.22 - Built Community Services and Facilities (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)

National Planning Policy Framework 2021 (NPPF)

- 6.1. Under section 38(6) of the Planning and Compulsory Purchase Act (2004), all planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies are listed above, and the NPPF is a key material consideration in the decision-taking process.

## **7. Planning considerations**

### Site History

- 7.1. In September 2021 permission was refused under DC/21/1035/FUL, for the erection of a single dwelling and conversion of the existing mission hall into two dwellings. Permission was refused as the proposal was considered to represent a low-quality design outcome for the site because of the contrived parking and manoeuvring area. Furthermore, the poor layout design meant that residents in a unit had no direct access onto their private amenity space, and the awkward parking layout would have likely resulted in its underutilisation, which could have led to additional on street parking in an area that already suffers from high levels of it. The proposal was therefore considered to fail to meet the design quality requirements of local policies WLP8.29 and WLP8.33 and the NPPFs requirement for high quality design outcomes. This new application responds to that decision with a significantly amended scheme and a much improved layout and overall design outcome.

### Principle of Development and Asset of Community Value Designation

- 7.2. The site is located within the settlement boundary for Lowestoft, and therefore the general principle for new housing is favourable, subject to its consideration of other local and national planning policy.
- 7.3. The hall was successfully registered as an Asset of Community Value (ACV) on 19th August 2020, whilst the property was for sale, and the period of Moratorium ended on 19th February 2021. It is understood that no successful bids for the property were received from a community interest group during that period.
- 7.4. The Government has published a non-statutory advice note for Local Authorities on the Community Right to Bid (as provided for in the Localism Act and the Assets of Community

Value Regulations 2012) and this advice note explains what the 'Moratorium' period is, as follows:

*"9.1 The moratorium requirements, as set out in section 95 of the Act, apply only to relevant disposals. "Relevant disposal" is defined in section 96. It means a transfer of the freehold or grant or assignment of a qualifying lease which gives vacant possession of the buildings and other land in question. However they will not apply to all relevant disposals, as some types of relevant disposal are exempt. These exemptions are partly in the Act and partly in the Regulations; the full combined list is set out in Annex A below. The moratorium provisions apply only to disposals, so for example if a building listed as an asset of community value is to be demolished without being sold, the moratorium rules in section 95 do not apply.*

*9.2 An owner of a listed site may not make a relevant disposal of their asset during the 6 week interim moratorium period (unless it falls within one of the exemptions or is to a community interest group). This interim moratorium runs from the date the local authority receives notification from the owner of their intention to dispose of their listed asset*

*9.3 Once the local authority has been notified of the intent to dispose, they are required to update the list to show the owner's intention to dispose and to give the interim and full moratorium end dates, and the end date of the protected period. The nominating community group must be informed. The local authority must also publicise all of these matters in the neighbourhood of the asset in question. It is for the local authority to determine how they do this.*

*9.4 During the interim moratorium period a community interest group may request in writing to be treated as a potential bidder for the asset; this will bring the full moratorium period into force. The community interest group does not have to provide any evidence of intention or financial resources to make such a bid. A community interest group must have one or more of the following structures:*

- (a) A charity*
- (b) A community interest company*
- (c) A company limited by guarantee that is non profit distributing*
- (d) An industrial and provident society that is non profit distributing (these groups will be renamed as community benefit societies by the Co-operative and Community Benefit Societies and Credit Unions Act 2010 when the relevant provisions come into force)*

*9.5 Once a local community interest group makes a written request to the local authority during the interim moratorium period to be treated as a potential bidder, the owner may not dispose of their asset during the full 6 month moratorium (except as permitted). The local authority must as soon as practicable let the owner know that this request has been received (section 98 of the Act).*

*9.6 There is one type of disposal that may be made during a moratorium. An owner may sell during the interim or full moratorium period to a local community interest group – i.e. one which either did, or would have been eligible to, trigger the full moratorium."*

- 7.5. Policy WLP8.22 sets out the policy approach to Community Services and Facilities, with the policy stating that proposals to change the use, or redevelop for a non-community use, a facility registered as an asset of community value will not be permitted. However, officers note that the Moratorium period for a community interest group to exclusively bid for the property has passed, and therefore the ACV designation is no longer felt to be of significant weight in the decision-taking process. The purpose of the ACV designation is not to prevent any change of use or re-development; rather, it is to ensure that a community interest group has the 'right to bid' on an asset. Where that opportunity has been presented but no community interest group or nominating body has come forward in response to notification of the owners intention to dispose of their listed asset, officers consider that the policy requirement of WLP8.22 to prevent any change of use or re-development is likely counterproductive to the future of the building, particularly (as is the case here) where the building is of some heritage value and beneficial re-use is important for its conservation. The proposed conversion of the existing hall would safeguard the historic building, subject to sensitive conversion, and whilst there is a lack of community facilities such as halls in the immediate vicinity, the wider area and town of Lowestoft does have facilities and as such the loss of this particular hall is not considered to adversely impact on the community in any significant way that would be contrary to the aims of the Local Plan.
- 7.6. For these reasons, whilst acknowledging the conflict with the wording of WLP8.22, officers consider that the ACV designation has served its purpose to offer a community interest group a right to bid, and that now that has passed, a residential conversion scheme, in principle, could therefore be supported where all other matters, such as design and residential amenity etc. were addressed. Therefore, the principle of change of use and re-development is considered to be acceptable.

### Design

- 7.7. Policy WLP8.29 sets out 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, historic and natural environment and use this understanding to complement local character and distinctiveness; and respond to local context and the form of surrounding buildings in relation.
- 7.8. Policy WLP8.33 also sets out the council's approach to urban infilling, stating that housing development on garden and other urban infill sites will be supported where they satisfy the following criteria:
- The scale, design and siting of the proposal is in keeping with the character and density of the surrounding development and would not generate a cramped form of development.
  - Attractive, useable and proportionately sized amenity spaces and adequate parking and turning spaces are provided for the proposed and existing dwellings.
  - The proposal, by way of design, siting and materials integrates into the surrounding built, natural, and where necessary historic environment.
  - The living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development.

- Safe access is provided which does not generate significant harm to the character or amenity of the area.
  - Safeguard protected trees.
- 7.9. The Friends Mission Hall is noted as having some historic importance to the local area, and its retention is welcomed. It is understood that the original interior of the building has largely been lost, but the exterior provides an attractive addition to the street, and its retention and conversion is welcomed. The proposed conversion of the hall proposes limited alterations to the exterior of the building with historic value. The proposal includes removal of rear extensions, and the addition of a door in place of one of the windows on the side elevation. These alterations are not considered to adversely impact on the appearance of the building and would seek to preserve its historic character, although a condition would be required to protect the exterior including retention of the existing windows and doors, and exterior stone plaques.
- 7.10. The proposed new dwelling is of traditional form, being two storeys with a dual-pitched roof which faces the highway, similar to that of many dwellings in the area. The proposed material choices will be a departure from the existing vernacular in the street scene; however, whilst the street is mainly made of Victorian terrace dwellings, there is a mixture of more modern infill development in the wider context. Therefore, given the traditional form and scale of the proposed new build dwelling, the proposal would not appear at odds with the generalised character or appearance of the street scene, and would be an acceptable new addition to that context.
- 7.11. The site will be laid out with the existing hall converted to a single dwelling with a centralised parking and access area to the south-west with a proposed new build two storey dwelling on the opposite side of the parking area. This centralised parking area for the two dwellings is a good functional arrangement that is much improved on the previously refused scheme. The overall layout is also much improved, with each dwelling have direct access onto a moderate sized garden, inclusive of functional requirements such as bin and cycle storage.
- 7.12. The overall design of the scheme is considered to be acceptable in accordance with WLP8.29 and WLP8.33.

#### Residential Amenity

- 7.13. Both policies WLP8.29 and WLP8.33 require that the living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development. The neighbouring dwelling to the west (no.54) has no windows that face the application site, and the proposed dwelling will not extend any significant amount past no.54. As such whilst some limited loss of light to their rear garden may occur, it is not considered to be significant, and the rooms of that dwelling would likely be unaffected.
- 7.14. In addition, whilst dwellings are in close proximity in this locale, in terms of back-to-back distances, it is not considered that the proposed dwelling would introduce significant overlooking to areas which are not already overlooked, and the back-to-back separation of approximately 20m, and the angle of neighbouring development to the north-west, means that it is not considered that unacceptable overlooking into neighbouring properties would

occur. The proposed dwelling does contain two side elevation windows which have the potential to overlook neighbouring property, and therefore it is considered necessary to impose a condition that these be obscure glazed. Finally, the conversion of the hall is not considered to result in any additional amenity impact to neighbouring residents, subject to suitable screening around the rear gardens where the existing extensions are to be removed.

- 7.15. The proposed dwellings provide a suitable size rear amenity space for residents and are not significantly overlooked in comparison to what would be expected in a built up area such as this. It is therefore considered that the proposal provides a good level of amenity outcome for future residents of both properties. In these ways the scheme accords with WLP8.29 and WLP8.33.

#### Highways and Sustainable Transport

- 7.16. The proposal includes a central parking area between the Mission Hall and the proposed new build and will provide two on-site parking spaces for each dwelling. This meets the minimum number set out within the Suffolk County Council guidance on parking for three bedroom dwellings, and as such it is not considered that the proposal would place additional pressure on on-street parking in the area. Furthermore, whilst the proposal involves an increase in the size of the existing access point, it would not result in a significant reduction in the space available for on-street parking, and therefore would not adversely impact on highway safety. Suffolk County Highways have reviewed the application submitted, and subject to the imposition of conditions and reduction in height of the front wall to 600mm they raise no objections. There are thus no highways grounds to refuse permission. The site is sustainably located and ideal for residential development in this regard.

#### Habitats Mitigation – RAMS

- 7.17. The site is located within 13km of the nearest European Protected Site, and therefore consideration needs to be given to the impact of new housing on these sites. In this instance a financial contribution for each dwelling has been made to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). This is considered to acceptably mitigate against the impact on these protected sites in accordance with WLP8.34.

### **8. Conclusion**

- 8.1. In conclusion, the proposal would result in a minor technical departure from the wording of policy WLP8.22 as it involves the conversion and re-development of an existing facility registered as an asset of community value. However, as no bids have been placed during the Moratorium period, and as the proposal safeguards a historic building, it is not considered that this departure from WLP8.22 would make the scheme contrary from the Local Plan as a whole. In addition, the detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework. For these reasons, officers consider there are clear grounds to depart from WLP8.22 and grant planning permission, subject to the conditions detailed in section 10 of this report.

## 9. Recommendation

9.1. Approve subject to conditions in section ten, below.

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

### **Background Papers**

See application reference DC/21/4450/FUL on [Public Access](#)



## Committee Report

### Planning Committee North - 14 December 2021

Application no DC/21/4253/FUL

**Location**

87 High Street  
Lowestoft  
Suffolk  
NR32 1XN

**Expiry date** 8 November 2021

**Application type** Full Application

**Applicant** Mr Ryan Taylor

**Parish** Lowestoft

**Proposal** Restoration of existing shop frontage, demolition of existing rear single storey extension and addition of new two storey extension with additional dwelling.

**Case Officer** Iain Robertson  
07827 956946  
[iain.robertson@eastsoffolk.gov.uk](mailto:iain.robertson@eastsoffolk.gov.uk)

#### 1. Summary

- 1.1. Planning permission is sought for the restoration of the existing shop frontage, demolition of existing rear single storey extension and addition of new two storey extension to provide an additional unit of residential accommodation whilst retaining the retail premises.
- 1.2. The property is currently in a dilapidated condition and is situated within a prominent location within the Town Centre and Lowestoft Conservation Area, which is also part of the North Lowestoft Heritage Action Zone (HAZ), which seeks to promote the renovation and repair of historic buildings and public spaces to stimulate the economic revival of the area.
- 1.3. The works to restore the existing shopfront and refurbish this building would represent a considerable enhancement to the Lowestoft Conservation Area. The proposals will also provide a residential unit in a sustainable location and enable the building to be brought back into a viable use whilst retaining the commercial element of the building in the Town Centre Area.

- 1.4. The application is before members as East Suffolk Council are both the applicant and landowner.
- 1.5. The proposed development is in accordance with the Local Plan and the application is recommended for Approval.

## **2. Site description**

- 2.1. The building forms part of a terrace of buildings within The High Street adjacent to the Triangle Market Place. Malsters Score provides access to the rear of the property which joins to Spurgeon Score leading to Whapload Road.
- 2.2. The property currently has commercial use (Class E) within the ground floor frontage of the property, most recently being operated as the Triangle Butchery shop, with a single residential unit above. It is situated within a secondary shopping frontage Area with the Town Centre of Lowestoft.
- 2.3. Due to the differing levels between the front and back of the building the existing accommodation is arranged over three floors with the commercial accommodation at ground and basement level and residential situated behind and above the existing residential premises.
- 2.4. The site is also situated in an area of Heritage significance. The building is within a prominent area with the Historic High Street and Scores Area of the Town Centre within the North Lowestoft Conservation Area of which this area is also designated as a Heritage Action Zone. The building itself is not a Heritage asset as it is neither listed nor considered to be a Non-Designated Heritage Asset (NDHA).

## **3. Proposal**

- 3.1. The first part of the proposal seeks to rebuild the existing façade and timber shopfront as close as possible to its historic appearance.

This will include:

- Raising the facade and formation of a parapet, to align with neighbouring building no.88. This is to be treated in a similar fashion to other existing buildings along the High Street, and 'tidy' this portion of the streetscape.
  - Restore the historic timber shopfront back to its historic condition. This will include a combination of reuse and forming new additions where details have been lost/condition dictates. The slightly disproportionate division of this elevation will be maintained, and existing material reused where possible.
  - Replacing of the existing first floor window with a sash type, to match historic imagery. The off-centre location of this window will match the existing position.
- 3.2. The second part of this application involves the refurbishment and extension of the existing property, to provide two open market residential units (1 x 1 bed and 1 x 2 bed) arranged above and behind the retail unit. The extension would replace two outbuildings in very poor

condition, which previously served as part of the commercial premises. The form of the new rear extension sits subservient to the existing building to be constructed in brickwork and timber.

#### 4. Consultations/comments

4.1. One representation received in support of the application.

##### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	21 September 2021	6 October 2021
<p>Summary of comments:</p> <p><i>The Town Council's Planning Committee considered this application at a meeting on 5 October 2021. It was agreed to recommend approval of the application.</i></p> <p><i>The Town Council has declared a Climate Emergency. To support this declaration, the Planning Committee requests that when recommending approval of a planning application the following measures are taken into account:</i></p> <p><i>Consideration of biodiversity ' Support for new or improved renewable energy including the installation of solar panels, where appropriate, on all additionally created roofs. ' Support for alternatives to car use e.g., walking, cycling and public transport, and encourage efficient car use, including through appropriate car parking provision, car sharing, differential car-parking charges, and the use of electric cars including the installation of first fix wiring for car charging points at all new builds. ' Encouragement for the management of land for nature and an increase in tree cover. ' Resistance of the use of natural open space for development and encourage reuse of brownfield sites. ' Support homes which are energy efficient, nature friendly and located close to public transport and amenities.</i></p>		

##### Statutory consultees

Consultee	Date consulted	Date reply received
Historic England	21 September 2021	12 October 2021
<p>Summary of comments:</p> <p>The proposed shopfront would represent a considerable positive impact to the significance of the heritage asset. Historic England therefore consider that the scheme would be in compliance with paragraph 206 of the NPPF.</p> <p>Historic England has no objection to the application on heritage grounds.</p>		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	21 September 2021	4 October 2021
Summary of comments: In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.		

Consultee	Date consulted	Date reply received
SCC Highways Department	5 October 2021	No response
Summary of comments: No comments received.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	21 September 2021	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Private Sector Housing (Internal)	21 September 2021	23 September 2021
Summary of comments: No observations or comments to make.		

Consultee	Date consulted	Date reply received
Economic Regeneration (Internal)	21 September 2021	No response
Summary of comments: Subject to conditions requiring additional details we would support the application and are excited to see the building restored and back in use.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	N/A	7 October 2021
Summary of comments: No comment to make.		

## 5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	24 September 2021	15 October 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	24 September 2021	15 October 2021	Lowestoft Journal

## Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 7 October 2021 Expiry date: 28 October 2021
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## 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”*.
- 6.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP1.1 - Scale and Location of Growth
  - WLP1.2 - Settlement Boundaries
  - WLP1.3 - Infrastructure
  - WLP2.9 - Historic High Street and Scores Area
  - WLP8.19 - Vitality and Viability of Town Centres
  - WLP8.29 - Design
  - WLP8.34 – Biodiversity and Geodiversity
  - WLP8.37 - Historic Environment
  - WLP8.39 - Conservation Areas
- 6.4. Historic Environment Supplementary Planning Document (June 2021) is also a material consideration, and its content informs the officer assessment to follow.

## **7. Planning considerations**

### Principle of Development

- 7.1. The site is situated within the Town Centre of Lowestoft within the Historic High Street and Scores area.
- 7.2. Development within the Historic High Street and Scores area is controlled by Policy WLP2.9. This area forms some of the oldest parts of Lowestoft and is part of the North Lowestoft Conservation Area and exhibits numerous historic buildings, many of which are listed. However, the quality of the historic environment is under threat from insensitive development, poorly maintained buildings, and a lack of investment.
- 7.3. The area around the Triangle Market is part of Lowestoft Town Centre and provides a secondary shopping area and a leisure focus with a number of cafés, restaurants, and pubs. The Scores have a more mixed residential and employment purpose.
- 7.4. The objectives for this area are for heritage led regeneration which enhances the heritage experience of this area and supports the existing shops, cafés, and restaurants.
- 7.5. The area falls within the recently designated North Lowestoft Heritage Action Zone. The key aims of the five-year scheme are to restore the old High Street's historic character for the people who live there and to boost tourism. Work will include providing quality spaces for the community, re-connecting the old town to modern Lowestoft, and bringing under-used and vacant land and property back into use for housing and retail.
- 7.6. To achieve a better mix of tenures in the area and to encourage investment which will help improve the appearance of the area, the Council will proactively support new open market residential development within the Historic High Street and Scores area.
- 7.7. Proposals for development within the area should be in accordance with Policy WLP8.39 "Conservation Areas" and have regard to the North Lowestoft Conservation Area Appraisal. Historic shop fronts are a key part of the character of the conservation area, and these should be retained and enhanced as part of development in accordance with the Historic Environment SPD.
- 7.8. The High Street frontage up to Crown Street East on the west side and Mariners Score on the east side is defined as a secondary retail frontage under Policy WLP8.19. which seeks to support the vitality and viability of the Town Centre.
- 7.9. This proposal accords with the principal aims of these policies in that it is seeking to regenerate this neglected building, reinstating historic elements of it, whilst retaining the commercial floor area and providing two units of residential accommodation.

### Heritage impact

- 7.10. Policy WLP8.37 "Historic Environment" seeks to conserve or enhance heritage assets and highlights that development proposals which have the potential to impact on Heritage Assets should be supported by a Heritage Impact Assessment. This is also a requirement of

Paragraph 194 of the NPPF. The Design, Access + Heritage Statement provided is considered to meet this requirement.

- 7.11. The proposed works to this building, particularly the restoration of the front façade and historic shopfront, will have a considerable positive impact on the Conservation Area, a Designated Heritage Asset. The extension and alterations to the rear are well designed providing a structure of traditional form with contemporary appearance. This proposal would offer a significant improvement to the visual appearance of this neglected site within the Conservation Area, both from the High Street and from Malsters Score.
- 7.12. The proposals will enhance the character and appearance of the Conservation Area as required by Policy WLP8.39 and S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application would meet the requirements of Paragraph 206 of the NPPF which encourages Local Planning Authorities to look for opportunities which better reveal the significance of Heritage Assets.

#### Amenity

- 7.13. Policy WLP8.29 expects that development proposals will protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.14. The rear extension is of two storey height of a modest depth at approximately 4.4m. The extension would not impact on the properties either side in terms of loss of light or privacy and due to the enhancements to the site would generally improve the amenity of the surrounding area.
- 7.15. In terms of the amenity of future occupiers the proposals offer residential units that exceeds minimum space standards and will offer a good level of amenity in terms of natural light to rooms. Garden space is available to the ground floor unit, which is the larger of the two. Bin and cycle storage will be available for the units to the rear of the property, further details of which are to be provided by condition.

#### Highways:

- 7.16. Suffolk County Council Highways Authority have not commented on this proposal. No off-street parking is available to this property. Given the sustainable nature of this location, close to everyday services and facilities and public transport, the lack of parking provision is considered to be acceptable. As previously mentioned, covered and secure cycle storage will be provided to ensure that other more sustainable transport options are available to occupiers as is encouraged by Policy WLP8.21.
- 7.17. A bin store has been shown to the rear; however, this requires occupiers to move bins to the road from this location which involves negotiating a few small steps up from the score. This will have been an issue that has been encountered by previous occupiers of the commercial unit and the flat above. It is common that bins are left on the public highway for collection and returned to the storage areas in between collection.
- 7.18. The intensification of this use is very minimal and it is not considered that this would lead to a situation which causes a significant inconvenience for users of the public highway. The

benefits of the renovation/reuse of this building far outweigh this minor issue. It is considered that this proposal would not have an unacceptable impact on highway safety as required by Paragraph 111 of the NPPF.

### Other matters

#### Ecology:

- 7.19. Due to the demolition of outbuildings and the overgrown nature of the site, it is considered necessary for a condition to restrict demolition and clearance of vegetation to outside of the bird nesting season.

#### RAMS:

- 7.20. The site is situated within the zone of Influence (ZOI) of European protected sites. In this area increased residential development will result in likely significant effects. As set out in the strategy, evidence shows that there is a 13 km Zone of Influence (ZOI) around the relevant Habitat Sites in the Suffolk Coast area (this includes East Suffolk, Ipswich Borough and Babergh and Mid Suffolk Council areas).
- 7.21. The appropriate contribution to the RAMS project has been made which allows for a strategic approach to mitigating the in-combination effects of development on these designated areas and allows mitigation to be delivered across the project area.
- 7.22. The proposals would therefore accord with Policy WLP8.34 of the Local Plan.

## **8. Conclusion**

- 8.1. The proposed alterations and extension to this property will be of considerable benefit to the Designated Heritage Asset that is the Conservation Area providing a significant improvement to the visual appearance of this neglected site within the Conservation Area.
- 8.2. The proposal accords with the aims and objectives for the Historic High Street and Scores area as highlighted within Policy WLP2.9 which supports heritage led regeneration which enhances the heritage experience of this area, whilst enhancing the vitality and viability of the Town Centre through bringing under-used and vacant land and property back into use for housing and retail.
- 8.3. The proposals will therefore enhance the character and appearance of the Conservation Area as required by Policy WLP8.39 and S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **9. Recommendation**

- 9.1. Approve - Subject to conditions detailed below.

**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 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 1<sup>st</sup> March and 31<sup>st</sup> 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

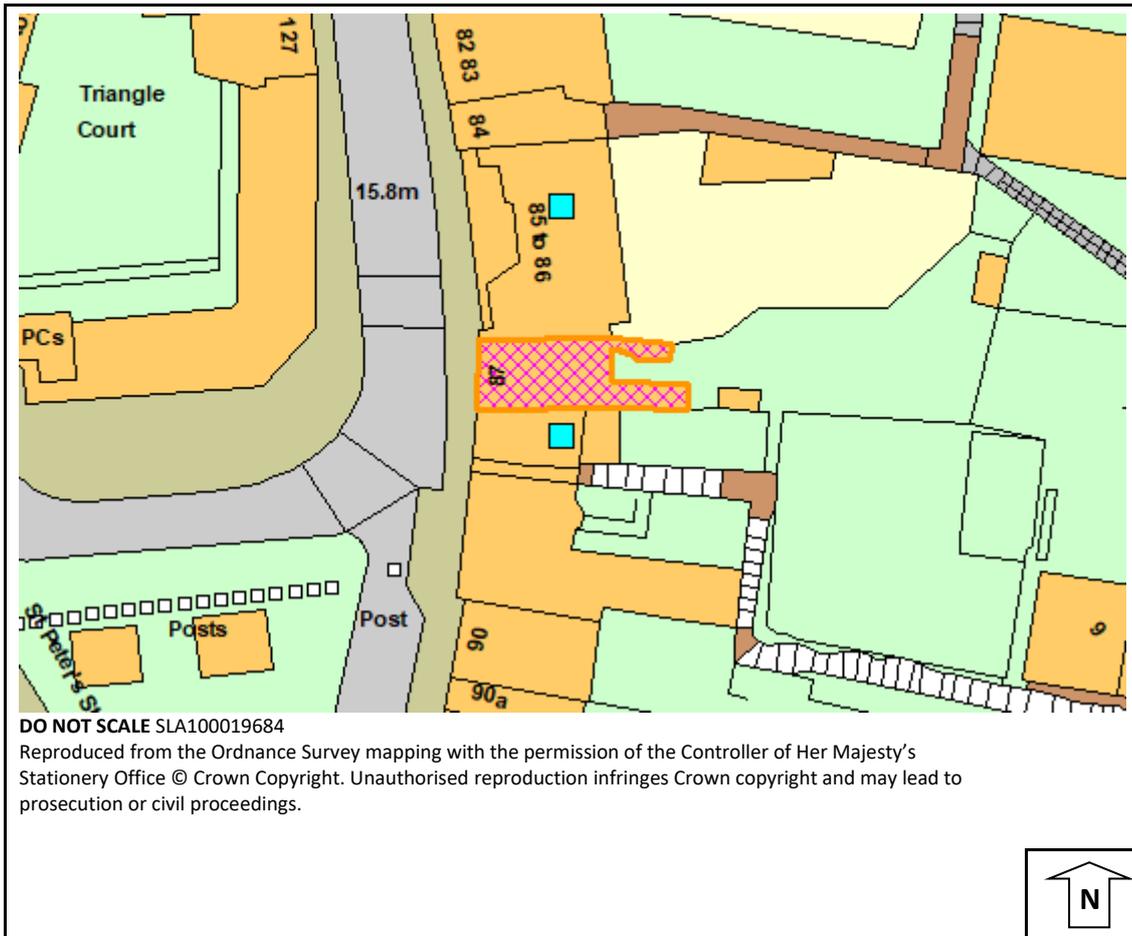
#### **Informatives:**

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/21/4253/FUL on [Public Access](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

## Committee Report

### Planning Committee North - 14 December 2021

Application no DC/21/2592/FUL

**Location**

Plot  
Hall Lane  
Blundeston  
Lowestoft  
Suffolk  
NR32 5BL

**Expiry date** 8 August 2021

**Application type** Full Application

**Applicant** Mr & Mrs Downing

**Parish** Blundeston

**Proposal** Construction of a dwelling, garage, drive access, materials and fencing

**Case Officer** Matthew Gee  
07901 517856

[matthew.gee@eastsoffolk.gov.uk](mailto:matthew.gee@eastsoffolk.gov.uk)

#### 1. Summary

- 1.1. Planning permission is sought for development comprising the 'construction of a dwelling, garage, drive access, materials and fencing'. The site is situated in the countryside for planning purposes albeit adjacent to the Local Plan defined settlement boundary for Blundeston.
- 1.2. Policy WLP8.7 permits some scale residential development in the countryside subject to several criteria. This policy requires, amongst other things, a site to be a clearly identifiable gap within a built-up area of settlement in the countryside; generally, this policy seeks to allow some limited housing within those rural communities without defined settlement boundaries, and this normally means that policy compliant sites are not proximate to more sustainable settlements.
- 1.3. The application site has existing residential development on two sides (immediately adjacent to the northwest, and then the opposite side of the highway, to the west), with

only a very small gap to the south before the curtilage of another residential property. The site therefore represents a logical gap between existing residential development where a single dwelling scheme can be considered as an acceptable form of infill development.

- 1.4. The scheme would not strictly accord with WLP8.7, because existing dwellings to the northwest and west are within a defined settlement, where WLP8.7 relates to sites where surrounding development is all in the countryside.
- 1.5. However, there are several factors that weigh in favour of the scheme: the relationship of the site to a sustainable settlement, with pedestrian access from the site into the centre of Blundeston; the development would not extend further into the undeveloped countryside (it would be within a group of existing dwellings); and this is a limited gap between dwellings that will not create any future precedent for expansion of the settlement in this location. For all these reasons, officers consider that this is an exceptional case where a refusal reason due to non-compliance with policy WLP8.7 would be difficult to defend in any appeal situation. This is a unique site and proposal where a departure from WLP8.7 is considered to be acceptable because of several material considerations in combination; the absence of any significant harm arising from the scheme is also relevant to that balanced judgment.
- 1.6. The overall scale of the proposed development is considered appropriate for the area, and the design is acceptable. There are no objections from Suffolk County Highways Authority. The objections from the Parish Council are detailed in the consultations/comments section of this report.
- 1.7. Despite the conflict with policy WLP8.7, officers consider there are material considerations that indicate for a decision other than in accordance with the Development Plan, and it is therefore recommended that planning permission be granted.
- 1.8. As a departure from the Development Plan, the application has been referred direct to Planning Committee (North) to enable consideration of the application.

## **2. Site description**

- 2.1. The site is situated in the countryside for planning purpose; however, Blundeston settlement boundary runs along the northwestern boundary of the application site, and on the opposite side of Hall lane to the west/southwest. The site is bounded by residential development to the northwest, and fronts Hall Lane to the south, with residential development on the opposite side of the highway. There is a narrow gap between the southern site boundary and a residential property at Hall Farm Bungalow. To the north of the site is agricultural land, and approximately 50m north-east of the application site is a barn complex that has recently been granted consent for conversion to a dwelling under application ref. DC/21/4342/FUL.

## **3. Proposal**

- 3.1. Planning permission is sought for the 'construction of a dwelling, garage, drive access, materials and fencing'.

- 3.2. The proposal has been amended during the course of the application to reposition the proposed garage from the front of the site to the side of the dwelling, and minor amendments to the design of the proposed dwelling.
- 3.3. The proposed dwelling is fairly traditional in form with a dual pitched roof with a mix of catslide and dual-pitched dormers. The form is one-and-a-half storeys in scale. The dwelling would provide 3-bedrooms.
- 3.4. The dwelling would be sited fairly centrally within the plot, largely continuing the existing building line of existing development. Access would be to the south, onto Hall lane.

#### 4. Consultations/comments

- 4.1. During the course of the initial and re-consultation, three representations of objection were received raising the following key points (inter alia):
- Outside of defined settlement boundary
  - Site is not allocated and there is already housing development in the village
  - Setting a precedent
  - Dangerous access due to bend in road
  - Amenity impacts
  - Plans do not show approved neighbouring development
  - Overlooking

#### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Blundeston And Flixton Parish Council	16 June 2021	23 June 2021
Summary of comments: <i>This proposed property is outside the village boundary and the Parish Councillors did not want to set a precedence by recommending this plan for approval.</i> <i>There were also concerns regarding the access to the property being on a bend in the road.</i>		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	13 August 2021	23 August 2021
Summary of comments: Following the submission of additional information no objections received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	16 June 2021	29 June 2021
Summary of comments: Concerns raised regarding lack of visibility details (see final response, above).		

### Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	13 August 2021	23 June 2021
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 June 2021	25 June 2021
Summary of comments: No objections subject to unexpected contamination condition.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	16 June 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	16 June 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	16 June 2021	No response
Summary of comments: No comments received.		

## Reconsultation consultees

Consultee	Date consulted	Date reply received
Blundeston And Flixton Parish Council	27 October 2021	8 November 2021

Summary of comments:

*This application was rejected by the Parish Council due to the same reasons as before being on a sharp bend and out of keeping with the surrounding properties and also being out of the village envelope.*

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	27 October 2021	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	27 October 2021	28 October 2021

Summary of comments:

No additional comments.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	27 October 2021	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
SCC Highways Department	27 October 2021	4 November 2021

Summary of comments:

No objections subject to conditions.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	27 October 2021	No response

Summary of comments:

No comments received.



take place. The policy states that small scale residential development in the Countryside of up to three dwellings will be permitted where:

- The site constitutes a clearly identifiable gap within a built up area of a settlement within the Countryside;
- There are existing residential properties on two sides of the site; and
- The development does not extend further into the undeveloped Countryside than the existing extent of the built up area surrounding the site.

- 7.2. The proposed application site would appear as a clearly identifiable gap within a built-up area, and would technically have residential properties on two sides, to the east and west, and on three including development on the opposite side of Hall Lane (the preamble to policy WLP8.7 acknowledges development on the other side of the highway can count toward the consideration).
- 7.3. However, the wording of the policy means that existing residential properties located within the settlement boundary, which in this case runs along the north western and site boundary, should be excluded from consideration in reference to this policy.
- 7.4. Officers have taken a consistent approach to rural infill development, across the District (and in both Local Plan areas) to treat small scale residential developments in the countryside as those sites where all existing surrounding residential development is located outside of any settlement boundary, and therefore in the countryside.
- 7.5. However, consideration also needs to be given to the detail of this proposal, the benefits of it, and the extent of any harm that would arise. The village of Blundeston has direct bus routes to larger settlements, including Lowestoft, and contains a School, Public House, and Meeting Place. The application site is directly adjacent to the settlement and would also have direct access to the footway that runs along the northern side of Hall Lane. The footway access provides direct links to the Village Hall, Public House, Bus Stop, and Playground (approximately a 3 minute walk), and the Primary School (an approximately 11 minute walk). Therefore, for the purposes of planning the site is within a sustainable edge of settlement location, and that is an important material consideration, given housing should be directed to sustainable locations.
- 7.6. Furthermore, whilst the wording of WLP8.7 may exclude existing development within the settlement boundary, the site is nonetheless located in a clear and logical gap within an otherwise built up frontage along Hall Lane/Lowestoft Road. Therefore, appropriately designed development in this location is not considered to appear out of place, nor would extend any further into the open countryside, given the existing grouping of three dwellings to the east. The recently consented barn conversion to the north east only adds to the surrounding residential context. The site is a gap that can be developed, and is then well contained by either existing residential development or the road network, meaning that there is not the likelihood of setting a precedent to extend the settlement in this location; the roads to the south/southwest provide that clear end to the village.
- 7.7. Therefore, in this instance, whilst the proposal does represent a conflict with policy WLP8.7, given several material considerations that indicate in favour of the scheme, a departure from the Development Plan (in terms of the principle of development) is found, on balance, to be acceptable. Furthermore, given the unique set of circumstances set out, it is not considered that the proposal would set a harmful precedent for consideration of

applications proposing development in the countryside. Each case must be assessed on merit and the particulars of this case indicate for the principle of development. To refuse the application purely on principle, being contrary to WLP8.7, is likely, in officers' opinion, to be a weak position in any appeal situation.

### Design

- 7.8. Policy WLP8.29 sets out the general design principles of new development, and 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, historic and natural environment and use this understanding to complement local character and distinctiveness;
  - 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
- 7.9. The immediate area is characterised by a mixture of dwelling scales, designs, and forms. Although, the generalised character is one of a traditional village vernacular, with one-and-a-half storey dwellings, set within sizeable plots. However, there are examples, for instance opposite, of two storey dwellings albeit with low level roofs, and single storey development within the immediate vicinity. The proposed dwelling is of one-and-a-half storey scale, with dormers in the roof, and will be constructed of red brickwork, with red pantile/plain tile roof. The dwelling would be of similar scale, albeit it slightly taller, than the neighbouring one-and-a-half storey dwelling to the northwest. However, given the separation distance between the two dwellings and the retention of the hedge row along the front of the site, it is not considered that the scale and form dwelling would overpower the street scene, or adversely impact on the character and appearance of the area. In addition, the proposed materials and design of the dwelling relates well to the mixed character of the area.
- 7.10. The application does include the addition of a detached garage, this was initially placed at the front of the site. However, there is a general lack of garages to the front of dwellings in the immediate area, and it would have appeared significantly out of character given its proposed scale and positioning forward of the dwelling, especially given its prominence within the street scene when viewed on the approach from the east along Hall Road. This element was subsequently amended due to the concerns raised by officers, with the garage repositioned along the western boundary with the dwelling repositioned slightly to the east to create space. It is considered that site layout is appropriate for the area, maintaining an open (albeit bounded by hedging) frontage, which maintains the more rural character of the area. Therefore, given the above it is considered that the proposal responds to the local context and the form of surrounding buildings in accordance with WLP8.29.

## Amenity

- 7.11. Policy WLP8.29 also sets out that proposed development should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. The proposed dwelling to the northwest, Forevermore (previously Overcombe), has several windows in close proximity to the application boundary. One east facing window closest to the boundary would be in line with the proposed garage. Given the overall scale it is not considered that the proposed would adversely impact on light through that window, and the marginal loss of outlook would not significantly impact on the enjoyment of the dwelling. Given the scale of the garage and separation distance of the proposed dwelling, it is not considered that light would be significantly interrupted through the north facing opening and high level east facing window.
- 7.12. The dwelling to the east, Hall Farm Bungalow, is, at the time of this application, constructing an extension on the west elevation, which from the development completed at the time, appears to have two openings facing west, and two opening facing north. Hall Farm Bungalow is set forward of the proposed dwelling, and as such it is not considered that the light through the existing or proposed opening in that dwelling would be adversely affected by the proposal. Furthermore, the proposed dwelling is set behind the existing dwelling of Hall Farm Bungalow, it is considered that positioning and level of the first floor windows would not directly overlook into the two new opening on the western elevation. In addition, the proposed rear elevation windows would not result in any adverse overlooking into neighbouring properties or impact on their private amenity space. The proposal includes a recessed balcony on the rear elevation, however, its overall positioning is not considered to result in any adverse level of overlooking into any private amenity areas.

## Highways

- 7.13. The site will be accessed via the creation of a new access towards the south-west corner of the application site, off Hall Lane. Suffolk County Highways initially raised a concern regarding the lack of visibility details provided within the application. This information was subsequently provided by the agent, showing that sufficient levels of visibility were available before entering the highway. Following submission of this information Suffolk County Highways deemed the access to have an acceptable impact on highway safety, and therefore raised no objections subject to conditions. The application also provides sufficient on site space for the parking of at least three vehicles, which is the Suffolk Parking Guidance for a dwelling of this site.
- 7.14. As noted in above paragraphs the site is also situated within easy walking distance of several of the village facilities, including Public House, Playground, Skate Park, and School.
- 7.15. The site is therefore a sustainable location, and there are no highways safety grounds to refuse permission. The comments of the Parish Council regarding access have been considered, but the visibility splay information and SCC Highways comments indicate that the scheme is acceptable in highways safety terms.

## Ecology

- 7.16. The site is located within 13km of the nearest European Protected Site, and therefore consideration needs to be given to the impact of new housing on these sites. In this instance a financial contribution for each dwelling has been made to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). This is considered to acceptably mitigate against the impact on these protected sites in accordance with WLP8.34.

## **8. Conclusion**

- 8.1. The scheme would not strictly accord with WLP8.7, because existing dwellings to the northwest and west are within a defined settlement, where WLP8.7 relates to sites where surrounding development is all in the countryside.
- 8.2. However, there are several factors that weigh in favour of the scheme: the relationship of the site to a sustainable settlement, with pedestrian access from the site into the centre of Blundeston; the development would not extend further into the undeveloped countryside (it would be within a group of existing dwellings); and this is a limited gap between dwellings that will not create any future precedent for expansion of the settlement in this location. For all these reasons, officers consider that this is an exceptional case where a refusal reason due to non-compliance with policy WLP8.7 would be difficult to defend in any appeal situation. This is a unique site and proposal where a departure from WLP8.7 is considered to be acceptable because of several material considerations in combination; the absence of any significant harm arising from the scheme is also relevant to that balanced judgment.
- 8.3. The overall scale of the proposed development is considered appropriate for the area, and the design is acceptable. There are no objections from Suffolk County Highways Authority. The objections from the Parish Council are detailed in the consultations/comments section of this report.
- 8.4. In addition, the proposal would provide some additional, albeit minor, economic benefit through the construction phase and the addition of one dwelling to the housing stock in the district. The proposal is also considered compliant with all relevant detailed development management policies within the Local Plan.
- 8.5. For the reasons set out in this report, there are material considerations that indicate for a decision other than in accordance with the Development Plan and, therefore, it is recommended that permission be granted.

## **9. Recommendation**

- 9.1. It is recommended that planning permission 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 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.

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](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](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto: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-and-transport/parking/apply-for-a-dropped-kerb/>

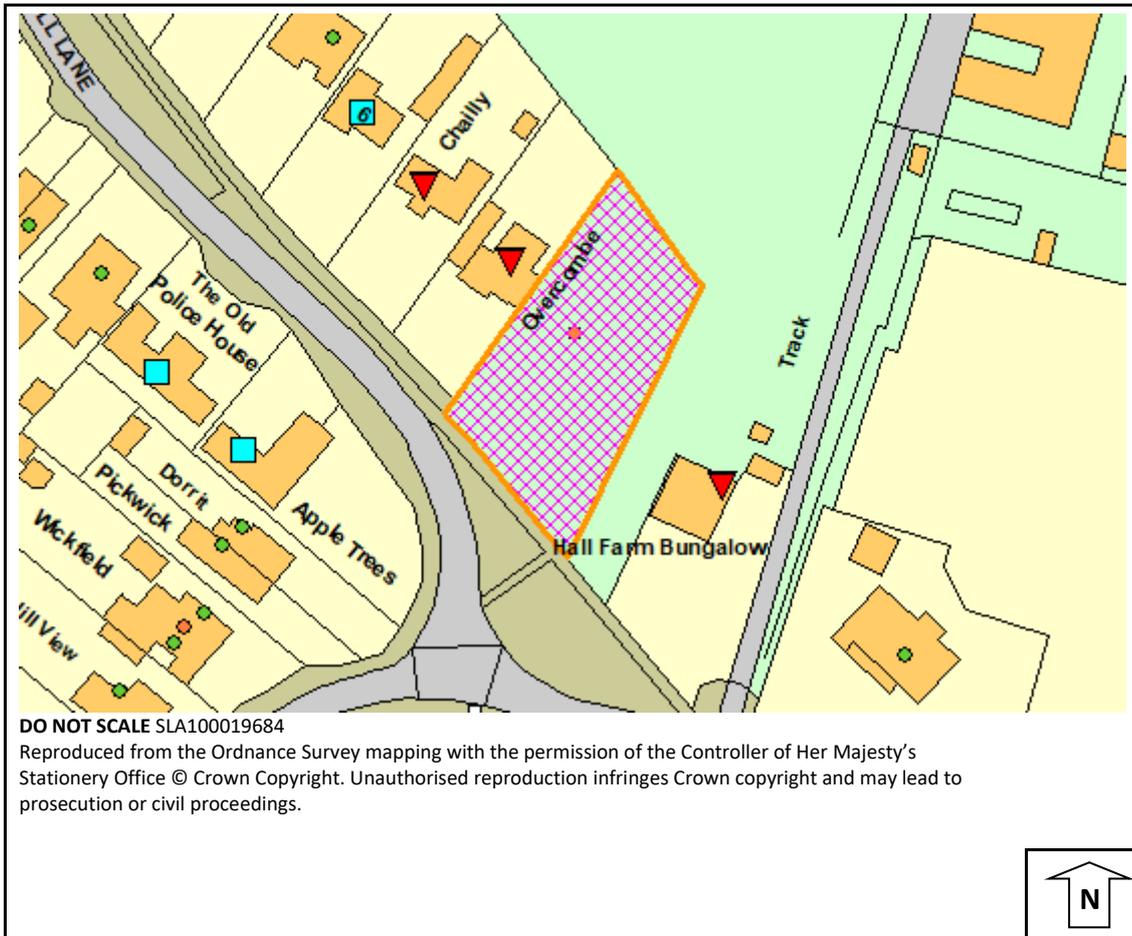
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

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.

### **Background Papers**

See application reference DC/21/2592/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

### Planning Committee North – 14 December 2021

Application no DC/21/4454/FUL

**Location**

Balnacraig  
Stanton Close  
Lowestoft  
Suffolk  
NR32 4JZ

**Expiry date** 24 November 2021

**Application type** Full Application

**Applicant** Mr Peter Foster

**Parish** Lowestoft

**Proposal** To install a log cabin/shed in rear garden size - 9.3 metres x 4 metres. Height 3.51 metres to the top of dual pitched roof. 2 rooms. Eaves height 2.23 metres

**Case Officer** Debbi Wicks  
07584 642000  
[debbi.wicks@eastsoffolk.gov.uk](mailto:debbi.wicks@eastsoffolk.gov.uk)

### 1. Summary

- 1.1 This householder application concerns the proposed erection of a detached timber garden room within the rear garden of Balnacraig which is in North Lowestoft. Following revised siting as requested by officers, the application is now deemed to be policy compliant in terms of its potential neighbour amenity impact and is therefore recommended for approval by officers, as well as by Lowestoft Town Council.
- 1.2 Officers were in a position to issue a planning permission under delegated authority within the 8-week determination period; however, officers then became aware that the applicant is the grandfather of an East Suffolk Council employee and, accordingly, this application has been referred direct to Planning Committee for determination.

## 2. Site description

2.1 The application site comprises a modest bungalow located within a row of four similar detached properties in Stanton Close. The site backs onto an undeveloped area to the eastern rear boundary where there are tall mature trees, and this has a bearing on the assessment of this case. The site is not in a conservation area and there are no other planning constraints affecting the property.

## 3. Proposal

3.1 The proposal is for a timber garden room measuring 9.3m wide and four metres deep. A pitched roof is proposed with an eaves height of 2.3 metres and 3.5m high to the ridge. The front elevation is mostly glazed in its design, with a feature gable and internally the floor area is divided into two rooms. The applicant's daughter has recently moved into the property to care for her elderly father and the proposed garden building is primarily for his enjoyment, partly to be used as a potting shed. For planning purposes the use is therefore incidental to the main dwellinghouse.

## 4. Consultations/comments

4.1 No representations have been received from neighbours or other members of the public.

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	4 October 2021	21 October 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 19 October 2021. It was agreed to recommend approval of the application.		

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	4 October 2021	No response
Summary of comments: Consultation not requested by case officer - not relevant. No comments received in any case.		

Consultee	Date consulted	Date reply received
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Environment Agency - Drainage	4 October 2021	No response.
Summary of comments: Consultation not requested by case officer - not relevant to this case. No comments in any case.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	4 October 2021	21 October 2021
Summary of comments: No comments.		

## 6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 October 2021

Expiry date: 28 October 2021

## 7. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

## 8. Planning considerations

- 8.1 The main policy consideration is neighbour amenity impact, in particular to The Rowans on the north side of the site, due to orientation and therefore potential shading from the proposed structure. The permitted development rules also have a bearing and are a material planning consideration in this case. Under those rules, it would be exempt to erect a domestic outbuilding such as this, covering up to 50% of the garden area and to heights not exceeding 2.5m to eaves and 2.5m overall if within two metres of the boundary, or up to four metres in height if further than two metres from the boundary.
- 8.2 This proposed building fails the permitted development criteria on ridge height alone as it would be positioned within two metres of boundaries and it is therefore only the roof of the building that actually requires planning permission, and the additional one metre height over the exempt limit is the key consideration with regard to impact. The fallback position is that the same building at 2.5 metres in height would not need planning permission.
- 8.3 In the initial submission, the garden building was proposed further in from the rear boundary fence, in fact 2.3m from the boundary at the south-eastern corner, which placed it more centrally within the main garden space. This siting had several disadvantages; in addition to the loss of usable garden area both below the structure and also the dead space

created behind it, it would also have a greater impact upon the outlook from the main house and most importantly would cast a shadow over the neighbour's conservatory to the north. In response to these concerns, the building has been moved as far into the south-eastern corner as possible, which will substantially mitigate the shadowing impact. As mentioned, there are already tall trees along the garden boundary creating some shading at present, which is a relevant factor and the re-siting towards the corner will allow the space to remain open in the centre of the garden and thus the light from the south will continue to reach the neighbour's conservatory from that direction.

- 8.4 Although rather large in footprint, the rear garden depth is 16.5m and as the revised siting relocates the building to just 200mm from the rear boundary, this will leave a garden depth of 12 metres remaining between the dwelling and the garden room. This is judged to be proportionate to the dwelling, its plot, and surrounding development pattern. The relatively low eaves will help mitigate overall massing of the structure from both neighbours due to the proximity to the side boundaries and the building will be unseen from the public domain.
- 8.5 In design terms, it is a simple garden building of an entirely expected form and appearance, relating well to its residential context.

## **9. Conclusion**

- 9.1 All aspects of the proposal are considered to be acceptable, on the basis of the revised siting. The scheme accords with the Development Plan and planning permission can therefore be granted.

## **10. Recommendation**

- 10.1 Approve with conditions set out in section 11 of this report.

## **11. 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.

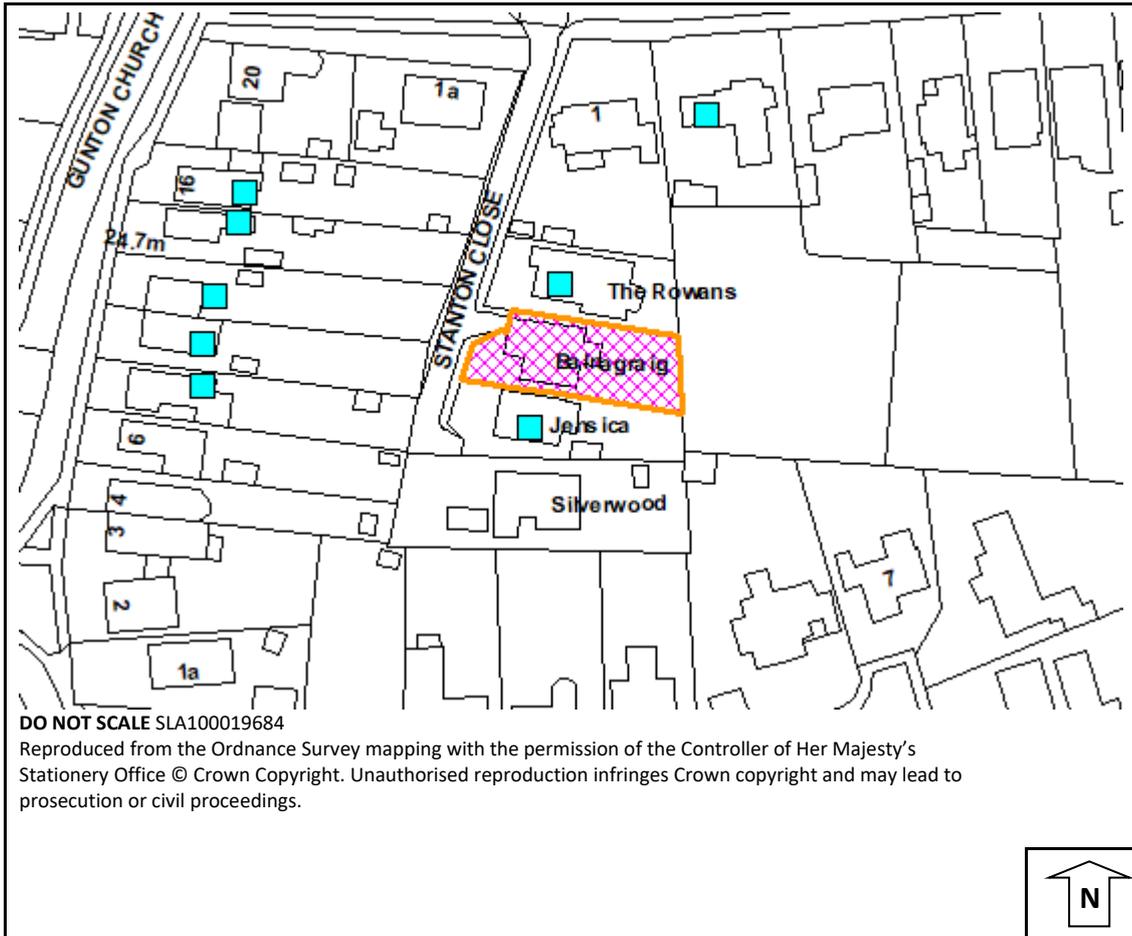
## **12. Informatives:**

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/21/4454/FUL on [Public Access](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

## Committee Report

### Planning Committee North – 14 December 2021

Application no DC/21/4957/FUL

**Location**

Balnacraig  
Stanton Close  
Lowestoft  
Suffolk  
NR32 4JZ

**Expiry date** 23 December 2021

**Application type** Full Application

**Applicant** Mrs Christine Marjoram

**Parish** Lowestoft

**Proposal** Single storey front extension for disabled bathroom

**Case Officer** Debbi Wicks  
07584 642000  
[debbi.wicks@eastsoffolk.gov.uk](mailto:debbi.wicks@eastsoffolk.gov.uk)

#### 1. Summary

- 1.1 This application proposes a front bathroom extension, to facilitate accessibility for the disabled occupant. The scheme is acceptable in design and residential amenity terms and therefore Officers recommend approval of the application
- 1.2 The applicant is a close relative of an East Suffolk Council employee and therefore the application triggers automatic referral to Planning Committee for determination. A separate application, (DC/21/4454/FUL), for a detached garden building is also referred to the same meeting for the same reason.

#### 2. Site description

- 2.1 The application site comprises a modest bungalow located within a row of four similar detached properties in Stanton Close, which is a small cul-de-sac. The site backs onto an undeveloped area to the eastern rear boundary filled with tall mature trees. The site is not

in a conservation area and there are no other planning constraints affecting the property. Unlike the three other bungalows, the dwelling is L shaped in form, with a wide, gabled front projection at the north side, containing a garage and bedroom and a side wing projecting from the southern wall. The main front entrance door is positioned in this recessed wing which is set further back and has a contrasting rendered finish. There is a small lawned garden area in front of this, with parking provision to the north side, in front of and including the garage.

### 3. Proposal

- 3.1 The proposal looks to infill the front recessed corner in order to provide more accessible bathroom facilities for the occupant. This would take the form of a smaller gable to the new extension and would incorporate the hallway and entrance door. The new bathroom window would be positioned on the south side elevational, facing the neighbour's wall. The ornamental tree would need to be removed to facilitate the proposed extension.

### 4. Consultations/comments

- 4.1 There would be one neighbour potentially affected by this proposal, namely Jenisca, Stanton Close to the south side. No representations have been received.

### 5. Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	9 November 2021	No response
Summary of comments: None received at time of writing report. Comments will be reported via the update sheet, should they be received.		

### 6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 12 November 2021

Expiry date: 3 December 2021

### 7. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

## **8. Planning considerations**

- 8.1 As the proposal is for a front extension, the key policy considerations are the resultant streetscene impact together with any neighbour amenity impact arising from the location, form, and massing of the extension together with the position of windows. Policy WLP8.29 of the Local Plan requires proposals to respect the character and spatial relationship of existing surrounding development.
- 8.2 In terms of this proposal, the prominence of an additional forward projection is mitigated due to it infilling a recessed area, therefore finishing in line with the current front wall of the dwelling. As the application property differs in form from the three matching neighbouring bungalows presently, there is no loss of uniformity or pattern arising from the proposal and as the site is within a very small cul-de-sac only serving five properties, and with no development opposite, public realm impact would be minimal.
- 8.3 The formation of a secondary gable would retain a subservient appearance arising from its lowered height and proportions and the external finish is proposed in matching red brick, with the front door moved forward. There are no objections with regard to the design or external appearance. The front of the extension would also align with the neighbouring dwelling to the south, retaining outlook and assisting in that the provision of the new side facing window would only face the neighbour's gable wall and would not look into any of their existing windows. Parking provision will remain unaltered. The loss of the small decorative tree is unfortunate; however, it is not protected and would not be worthy of a Preservation Order.

## **9. Conclusion**

- 9.1 All aspects of the proposal accord with policy WLP8.29 and are judged to be acceptable, with no adverse harm to amenity resulting. The scheme is in accordance with the Development Plan and planning permission can therefore be granted.

## **10. Recommendation**

- 10.1 Authority to Approve, subject to new material planning issues being raised in any comments/representations received prior to the end of the public consultation period (03.12.2021).

## **11. 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.

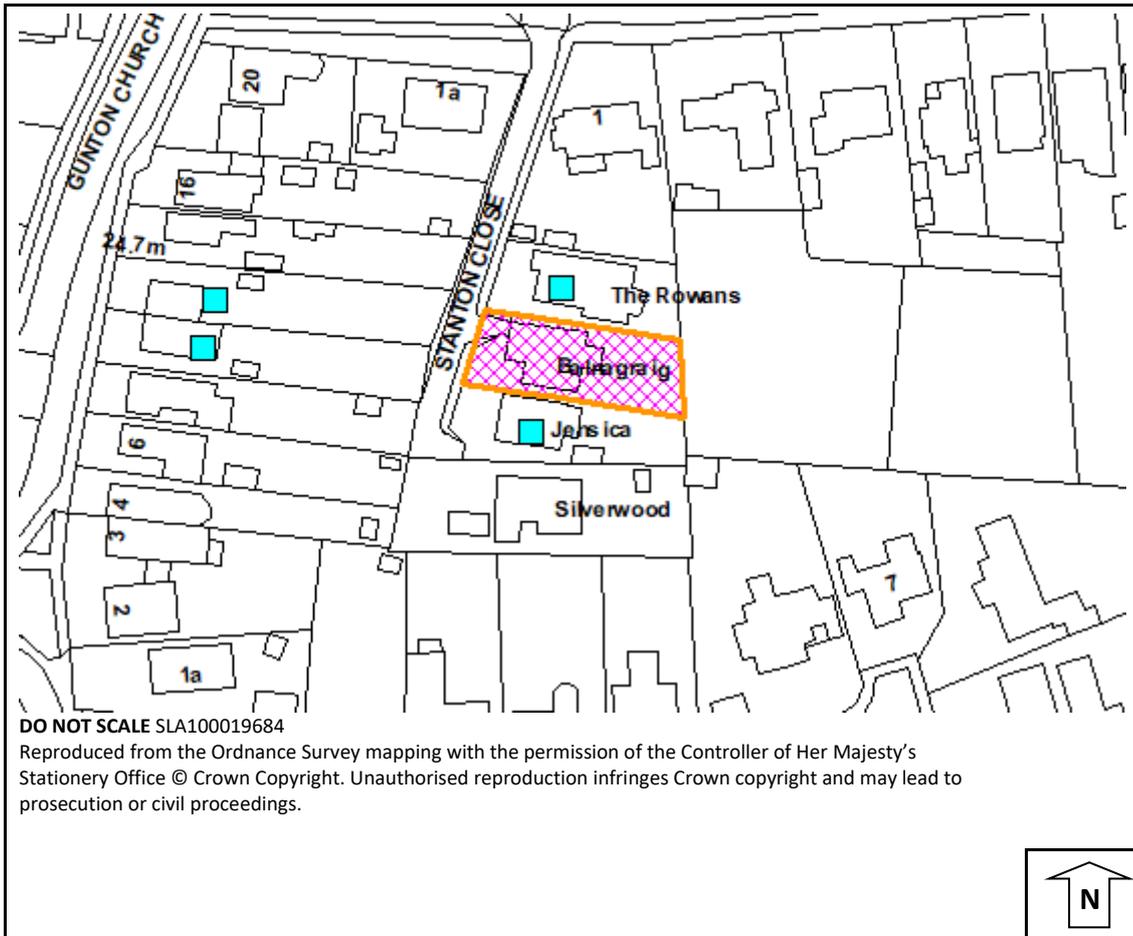
## **12. Informatives:**

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/21/4957/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support