

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 18 May 2021 at 2.30pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Elfrede Brambley-Crawshaw, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers

**Other Members present:**

Councillor Edward Back, Councillor Peter Byatt

**Officers present:** Katherine Abbott (Democratic Services Officer), Liz Beighton (Planning Manager), Chris Bing (Legal and Licensing Services Manager), Charlie Bixby (Planner), Joe Blackmore (Principal Planner), Guy Butler (Building Services Manager), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner), Matthew Gee (Planner), Kathryn Hurlock (Asset and Investment Manager), Mia Glass (Assistant Enforcement Officer), Rachel Lambert (Planner - Major Sites), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner)

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**Announcement**

The Chairman announced that Item 5 - Enforcement Action Case Update would be taken as the last item on the agenda.

The Chairman further announced that, taking Covid guidance into account, he would be taking Agenda Item 9 Southwold Tennis Club first as two public speakers were in the Conference Room and that would allow them to leave the meeting as soon as a decision had been made on the application. He anticipated adjourning for a short comfort break after Agenda Item 8.

**1 Apologies for Absence and Substitutions**

An apology for absence was received from Councillor Rivett.

Councillor Back attended the meeting as a substitute for Councillor Rivett.

## **2 Declarations of Interest**

Councillor Brooks declared a Local Non-Pecuniary Interest in Item 10 - DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet, as being Ward Member. He further declared that he was Cabinet Member for Transport in case it encroached on any Agenda items.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft, as being County Councillor for the area and in Item 10 - DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet, having liked the Facebook page.

Councillor Cooper declared that he was Assistant Cabinet Member for Planning and Coastal Management in case it encroached on any agenda items.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft, as being Ward Member.

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

Councillor Bramley-Crawshaw declared that she had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield. She had only discussed procedural matters.

Councillor Brooks declared that he had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield and Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft. He had made no response.

Councillor Ceresa declared that she had been lobbied on Item 6 - DC/20/1001/OUT - Land to the North of School Road, Ringsfield and Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft. She had explained the planning process.

Councillor Pitchers declared that he had been lobbied on Item 7 - DC/21/1208/FUL - Jubilee Parade, Lowestoft.

## **4 Minutes**

### **RESOLVED**

That the minutes of the meeting held on 13 April 2021 be agreed as a correct record and signed by the Chairman.

## **5 DC/21/0453/FUL - Southwold Tennis Club, Hotson Road, Southwold**

The Committee considered report ES/0759 which set out details of the planning application for the removal of existing sheds and portacabin and the constructions of a new clubhouse in Hotson Road, Southwold. The application was before Committee

because the land on which the tennis club was sited was owned by the Council.

The Senior Planner referred the Committee to the update sheet which contained eight additional representations supporting the proposal, reference to the revised plans and additional comments from the Highway Authority.

Members received a presentation showing the site location plan and aerial view, photographs of the street scene showing a variety of properties some with on-site parking, views of the tennis courts and current buildings. The Club had been in existence since 1928 and its current membership was under 200. The site was outside the Conservation Area. The Senior Planner explained the photographs that had been submitted by the objector at No. 30 Hotson Road. The Committee also viewed the block plan, proposed floor plans and elevations, artist's impression of the proposed building with timber cladding and solar panels and which would be positioned 11m from the end of the building to the site boundary and depth of 4m.

The Senior Planner particularly referred to the revised plans, elevations and additional seating that had been removed. The balcony had been reduced in size and screening was being proposed, as shown on the new artist's impressions. In addressing the material planning considerations and key issues, she drew particular attention to the principle (policy WLP8.22) and the following:

- Impact on residential amenity – local residents had raised issues over overlooking; however, the removal of the spectator seating and reduction of the balcony satisfactorily addressed the issues raised.
- Impact on highway safety – there were no grounds to substantiate refusal.
- Design and impact on the character of the area – whilst the appearance of the building was different to the housing, it was there for a different use. Most properties in the area were two storey scale and the proposed building fitted in well.

The Senior Planner explained that the 'bar' was actually a counter between the clubroom and kitchen for serving tea and coffee and the provision of snacks would be via vending machines. It would close at 10pm. She referred to the conditions restricting the use of the facilities and members would be encouraged to walk and cycle to the premises. She referred to the update sheet which confirmed the view from Environmental Services and also the additional conditions to be imposed, if approved.

The Chairman invited questions.

A Member questioned the neighbours suffering loss of light as a result of the proposed two storey building. The Senior Planner confirmed there would be no loss of light as the building was 11m from the side boundary.

The Chairman invited the public speakers to address the Committee.

As an objector and neighbouring resident, Mr D Foulkes stated that the noise from the balcony would be intolerable and the small screens would not reduce that noise. Residents wanted to enjoy their homes and any conflict with the Club could be avoided by removing the balcony; its use all through the day would permanently disturb

residents. It seemed that the noise assessment required by Environmental Health had not been carried out. The tight weave fence was not soundproof, nor was the low level hedging and noise would carry into bedroom windows. It was not a realistic proposition for the noise to be monitored by a member of staff at all times because there was no member of staff permanently on-site. The balcony should be removed.

On behalf of Southwold Town Council, Ms J Jeans questioned the application and the size of the two storey structure. The Town Council valued the Club as an important community facility and would not want to lose the Club. The principle of the NPPF was that applicants should work closely with the Town Council and locals but, unfortunately, that had not happened here. It was only objections that had resulted in improvements to the application. The Town Council believed the balcony should be removed because anyone using it would see into the neighbouring rear gardens which was an invasion of privacy. The balcony was not a necessary part of the business plan and it would affect local residents and their properties. Having the proposed building the whole length of the plot would change the area and the greenery at the front needed to be retained. If there was consent, three should be a condition to ensure the greenery remained.

The Chairman invited questions.

Members sought clarification as to what time people currently finished on site and the building being across the width of the courts. Ms Jeans confirmed that people used the premises into the evenings and it should be recognised that the site was an asset of community value. The Senior Planner advised that the block plan illustrated the building being centred along the frontage situated 11m from the side boundaries.

As Applicant, Mr G Bennett advised that the application was providing a good clubhouse and was supported by the membership in order to provide modern facilities. The Club was run by volunteers, had a membership of some 200 people age 6 to 82 years, with 50% from Southwold, Reydon and the villages; others came from Lowestoft and further afield. The current dilapidated portacabin was unsuitable and the new clubhouse would be fully wheelchair accessible with proper changing and shower facilities. There would be an on-line booking system; coaching and other services would be provided. The site had been a home for tennis for almost 100 years and they were proposing acceptable facilities for everyone to enjoy without affecting the street scene. Mr Bennett hoped the Committee would support the officer's recommendation for approval.

Members raised questions relating to:

- The balcony and its use.
- The bar shown on the plans.
- The club applying for a licence for the bar.
- Noise from the balcony impacting on residents in the evenings.
- Whether a sound assessment had been carried out.

Mr Bennett advised that he believed its use in the summer months would outweigh the reasons for not having a balcony; it would be used for fundraising events and coaching. It was hoped that people could watch matches in the evening. He advised that the bar between the clubhouse and kitchen was actually a serving hatch; it was not intended to

sell alcohol. The club might consider applying for a one-off licence for a special event at some future date.

Members noted that, based on the revised plans and additional information submitted, and with controls through planning conditions, Environmental Health were satisfied that their concerns had been addressed.

The Committee supported sport for all and public coaching because there was a general lack of facilities in the whole of the UK. The proposals were good and generally suitably distanced from adjoining residential properties. The Club could apply for an occasional licence, if necessary, through the Council's Licensing Committee for its Sub Committee to consider. However, concerns were expressed over the balcony and, even with obscured glass, Members questioned if it was really necessary.

A proposal for approval was seconded subject to the use of the balcony ceasing one hour prior to the club closing at 9pm. The Chairman requested clarification on the proposal to clear the balcony by 9pm, and it was confirmed that that could be done unless there were exceptional circumstance, for example, a tournament. The Planning Manager advised that the balcony was set back from the neighbouring rear gardens so any overlooking was not considered to be significant enough to warrant refusal. She advised that it would be difficult to enforce such a proposal but the residential amenity could be protected with a closing time if Members so wished.

In response to a question, the Applicant advised that the balcony might be used 2-3 times per week in the summer months, say from 6pm to 9.30pm. They could clear the balcony by 9.30pm.

The proposer and seconder accepted that amendment and the Planning Manager confirmed that would be appropriate for the conditions to be amended to restrict the use of the balcony until 9.30pm, with the premises closing at 10pm. This was agreed and there being no further discussion, it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with revised plans for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting the said Orders) the facilities within the building hereby permitted shall only be used in association with the existing tennis club and for no other purpose.

*Reason: The use of the building for uses unrelated to the tennis club would have the potential to cause harm to the amenity of local residents and character of the area.*

5. The balcony shall not be used after 9.30pm and building shall not be used after 10pm.

*Reason: In the interests of protecting the amenity of nearby residents.*

6. Prior to the building first being used cycle storage shall have been provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. It shall thereafter be retained in accordance with the approved details.

*Reason: To ensure the satisfactory provision of cycle storage and encourage people to travel by non-car modes in the interests of sustainable travel.*

7. The first-floor window in the east elevation of the building shall be fitted with obscure glazing and thereafter retained as such.

*Reason: In the interests of residential amenity.*

8. Prior to the building being occupied the screens shall be erected on the eastern and western ends of the balcony in accordance with details that have previously been submitted to and agreed in writing by the local planning authority. The screens shall thereafter remain in place in accordance with the approved details.

*Reason: To ensure the amenity of neighbours are protected.*

9. There shall be no cooking of food from the premises other than the re-heating of foods.

*Reason: To avoid undue odours in the interests of residential amenity.*

10. The installation of any extract ventilation system, air conditioning, and any other fixed plant, shall only take place in accordance with details (including its location, acoustic housing and any vibration isolation measures), that have previously been submitted to and approved in writing by the local planning authority together, and only the approved plant shall be installed and retained in the approved form thereafter.

*Reason: To avoid noise nuisance in the interests of residential amenity.*

11. The new fencing proposed for the front boundary shall only be built in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

12. No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period.

*Reason: To avoid unacceptable impact upon residential development during the demolition and construction phases.*

## **6 DC/20/1001/OUT - Land to the North of School Road, Ringsfield Corner**

The Committee considered report ES/0756 which related to an outline application, with some matters reserved, for the construction of up to 33 dwellings, open space, landscaping, visitor car park and site access from School Road, on land to the north of School Road, Ringsfield Corner.

The Planning Manager reminded Members that the application had been deferred at their meeting in February to enable officers to have discussions with the Applicant to include the whole site within its application. Since that time, the Applicant had confirmed that they were unwilling to increase the area as set out in the officer's report.

Members received a presentation showing the site, its location plan and photographs together with an indicative proposed layout and design which would be agreed at the reserved matters stage. The density had been specified in the Local Plan policy WLP7.14 as approximately 30 dwellings for the whole site, which equated to 20 dwellings per hectare.

The Planning Manager advised that the proposal was for up to 33 dwellings on a reduced site area of approximately 1.86ha, leaving 0.7 of a hectare for grazing land. Taking these factors into account, the recommendation was for refusal. She drew attention to two appeal decisions appended to the report. Having regard to the reduced site area, car park for the school and mitigation needed to protect Ringsfield, it was considered that the whole site should come forward for development, not just the part of the site in the application before Members.

A Member questioned CIL payments and it was confirmed that that was not part of the decision before the Committee. Members recalled their concerns whilst considering the application at their meeting in February 2021 and were in agreement with the recommendation for refusal. There being no further discussion, it was unanimously

**RESOLVED**

That permission be refused for the following reasons:

The site is allocated within the Waveney Local Plan (Policy WLP7.14) as a sustainable location for the development of approximately 30 dwellings. However, due to the condensed site area of 1.86 hectares, and the proposed maximum quantum of housing at 33 dwellings, the proposal represents an over-development of the application site. The planned approach to development of this site places great emphasis on a low-density development with spacious front and rear gardens, landscaping for street frontages, and a high-quality landscaping scheme to allow this development site to integrate well with its edge-of-settlement location and the surrounding countryside. The reduced site area, when compared to the allocation extent, would see an unacceptable compromise on these key design principles and result in a poor-quality layout. Granting outline planning permission for an 'up to' position prohibits the Council requiring a lower number of homes reserved matters stage in order to achieve good design appropriate for its location.

Whilst this application is in outline, with detailed matters reserved for future determination, the local planning authority needs to be satisfied that the proposed site area can accommodate the quantum of dwellings proposed in addition to all other works and infrastructure required to comprise a high-quality development in accordance with the local plan. As the proposed development fails in this regard, the application is contrary to Policy WLP7.14 of the local plan. As required by paragraph 127 of the National Planning Policy Framework (NPPF), the proposal does not optimise the potential of the site (as in the allocated site) to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and the result of this would be a conflict between the maximum granted number of homes and the ability to achieve good design. As indicated by paragraph 130 of the NPPF, where the design outcome of the development would be poor permission should be refused.

## **7 DC/21/1208/FUL - Jubilee Parade, The Esplanade, Lowestoft**

The Committee considered report ES/0757 relating to the planning application for the replacement of 72 beach huts on two levels of Jubilee Parade, the provision of 10 accessible beach huts, and associated platform and access stairs.

Members received a presentation showing the site location plan, photographs of the previous chalets prior to demolition, the cleared site looking north and south along the lower promenade and from the existing access, together with the original and proposed amended block plans. Artist's impression drawings gave an indication of the elevations and the location of the existing café.

The Planner described how the design process had been followed, the outcome of styles and proposed colour scheme and the resulting visualisations. In addressing the material planning considerations and key issues, the Planner explained the economic considerations and tourism in the area, and the resulting improvements which would help bring Lowestoft into the 21st century. It was considered that the improvements and design approach would enhance the Conservation Area. There was no adverse impact due to coastal erosion and no risk to life as the chalets would not be occupied



at nights. Approval was therefore being recommended subject to conditions set out in the report, as amended in accordance with the update sheet.

Members questioned the date of 2015 in paragraph 9.28 in the report and it was confirmed that it should read 2050.

The Chairman invited the public speakers to address the Committee.

At this point in the meeting, the Meeting Host confirmed that the speaker from Lowestoft Town Council, who had originally joined the meeting, had disconnected from Zoom and had not reconnected.

As Architect and Agent, Ms Jerene Irwin spoke in support of the application and focussed on the design and accessibility. Firstly, wheeled beach huts from the 1800s had been used as changing rooms, then progressed to become permanent fixtures along the UK coast providing storage and adding to the character of seaside towns. The proposed new designs might be different but would add character and diversity to the town and positively contribute to the regeneration of the area. The style and angle of the huts had been specially designed for the location and would achieve maximum sun. They had undertaken discussions with local groups to make the beach huts more accessible, particularly for wheelchairs and the outcome of those consultations had resulted in creating a larger space with level access suitable for wheelchairs. Ms Irwin advised that, in accordance with planning policy, new development should demonstrate high quality design and reflect local distinctiveness and enhance heritage assets. That had been achieved and it was considered that the proposals would add to the beach front and town in a positive way. She hoped the Committee would support the application.

As Ward Member, Councillor Byatt thanked the Committee for being given the opportunity to speak. He had read all the comments both for and against the proposal and therefore did not feel the need to reiterate the points made. He had visited the site and, with the extensive works needed to the cliff face, he understood it had not been realistic to rebuild. He welcomed the increase in the number of huts and commented that the designs were not inappropriate. There was no loss of green space and the proposal would probably have a positive impact on the café. Councillor Byatt expressed his concerns over the design with the upper level being modern creating an undulating wave from the beach and the lower level being traditional. Ramps would be needed to allow permanent access to the beach for the disabled.

During debate, Members commented on the innovative design having recognised the previous beach huts had not been fit for purpose and the current multi-coloured huts were just painted garden sheds with limited access for seating in front of each hut. The innovative design was a positive update for Lowestoft and would bring money into the town. However, other Members commented on the controversial nature of the new design which could be compared to shipping containers. The new beach huts should be of a design that the town could support and original colours of Pakefield pastels could be retained. The 10 huts suitable for disabled people were welcomed.

In response to a question relating the accessible beach huts being for sale, the Planning Manager confirmed that would be the responsibility of the organisation that looked

after the huts. It was not a planning issue. The Chairman advised that people sitting on the promenade outside the beach huts was not a planning issue and would need to be dealt with by the company leasing the huts.

Comment was made the design was either loved or hated and any design would be enhanced by its colour; pastels mixed in would support a traditional seaside view and that could be followed up.

There being no further discussion, on a proposal for approval which was duly seconded, it was

## **RESOLVED**

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

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

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

- Site Location Plan, JBH-CF-A-XX-DR-A-010, received 12/03/2021
- Existing and proposed site plan, JBH-CF-A-XX-DR-A-0120 Rev P7, received 07/05/2021
- Existing and proposed elevations, JBH-CF-A-XX-DR-A-0130 Rev P4, received 07/05/2021
- Detailed elevations, JBH-CF-A-XX-DR-A-0160 Rev P3, received 07/05/2021
- Existing and proposed sections, JBH-CF-A-XX-DR-A-0161 Rev P3, received 07/05/2021
- Typical Beach Hut, JBH-CF-A-XX-DR-A-0162, received 12/03/2021
- Typical Accessible Double Beach Hut, JBH-CF-A-XX-DR-A-0163, received 12/03/2021
- Proposed Beach Hut Colour Scheme, JBH-CF-ZZ-XX-RT-0010\_6426, received 07/05/2021
- Heritage statement, received 12/03/2021
- Design and Access Statement, 4626 / Rev B / March 2021, received 12/03/2021
- FLOOD RISK ASSESSMENT/DRAINAGE STRATEGY, received 12/03/2021
- Coastal Erosion Vulnerability Assessment, 65202371-SWE-ZZ-XX-RP-R-0001-CEVA, received 12/03/2021;

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 approved in writing by the local planning authority.

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

4. The hereby approved buildings/huts shall be used as a beach hut and for no other

purpose unless otherwise approved in writing by the local planning authority.

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

5. The beach huts, hereby permitted, shall be painted in one of the four colours specified within the Proposed Beach Hut Colour Scheme document, JBH-CF-ZZ-XX-RT-0010\_6426.

*Reason: in the interest of good design in accordance with WLP8.29 (Design).*

## **8 DC/20/5224/FUL - Land Rear of 34-48 Old Station Road, Halesworth**

The Committee considered report ES/0758 which gave details of the full planning application for 21 residential units (use Class C3), associated car parking, public open space, landscaping and ancillary works on land at the rear of 34-48 Old Station Road.

Members received a presentation showing an aerial photograph and the site location plan together with the strategic site allocations for Halesworth and Holton in the Local Plan. The proposed layout plan gave an indication of the mix of dwellings with single storey properties on the southern side which would back onto existing back gardens and two storey dwellings on the northern part of the site. Photographs from within the site were displayed together with views along Station Road and Park Road, the proposed access to the site, pedestrian access and footway links. The proposed street scene, elevations and floor plans gave an indication of the different types of properties.

Whilst the site was situated outside of the settlement boundary on the policies map in the Local Plan, the Senior Planner referred to the extant planning permission for 15 self/custom build dwellings; that scheme had been justified on the basis of the delivery of custom build provision to meet the needs of those registered on the Council's Self Build and Custom Build Register in accordance with the 2015 Act.

The Senior Planner explained the material planning considerations and key issues and drew particular attention to the planning history, principle of development, increase in density, flood risk, highways issues of which there were none, design, sustainability and ecology. It was considered there was sufficient parking on-site with the provision of electric charging points and there would be upgrades to the bus stops. The increase in density of properties compared to the extant permission raised it to 30 dwellings per hectare, a sustainability statement had been submitted and it was considered to be a sustainable development. Approval was being recommended and the Senior Planner referred Members to the update sheet which contained a change of wording for condition 10.

The Chairman invited questions.

Members raised questions with regard to:

- Car parking spaces on site.
- The financial contribution of £24,000 for school transport.
- The reduction in the provision of affordable dwellings in paragraph 8.74.
- Why no development had taken place under the previous approval.

The Senior Planner advised that car parking on the site met County Highways' standards. The development would generate a certain number of school places and the financial allocation of £24,000 related to that number of school places. Whilst affordable housing was slightly low, the calculation worked out at 6.3, six were being provided on site and the 0.3 would be a financial contribution as advised by the Council's Section 106 Team. It was confirmed that there were no self-build properties in the new proposal.

The Chairman invited the public speakers to address the Committee.

As the Applicant's Agent, Mr T Pike thanked the Committee for being given the opportunity to speak and wished to reiterate a number of key elements. Whilst the site was outside the defined settlement boundary, it was adjacent to residential development and the principle of development on the site had been accepted. The proposed increase in the number of homes would make better use of the land and help the Council to meet its housing targets. The proposed housing mix better reflected local needs. The development would include six on-site affordable homes and the proposal included a financial contribution towards off-site affordable housing. There would be further financial contributions towards highway improvements and secondary school transport, as well as the provision of high quality open space and a play area. Concerns over surface water drainage had been addressed with the proposed mitigation measures. Officers had agreed with the benefits of the proposed development and Mr Pike requested Members approve the application.

Members questioned the car parking provision on site and why there had been no progress with the 15 self-build plots. Mr Pike confirmed that 50 parking spaces were being provided, two for the 2/3 bed roomed properties and three for the 4 bed roomed dwellings. The self-build plots had been marketed but there had been little demand. The proposal before Members provided affordable housing.

During discussion, Members raised issues with regard to the increase in the number of properties being built and if that number could be restricted, whether they would be accessible properties, and if bungalows were to back onto existing properties. The Planning Manager advised that the development for 21 dwellings was satisfactory and County Highways had not objected to the application. Single storey dwellings would be on the southern side of the site backing onto existing dwellings. The application was for 21 dwellings and that number could not be increased unless a further application was submitted. Whilst it was disappointing to see further encroachment outside of the Development Plan, it was

## **RESOLVED**

That permission be granted, subject to the completion of a S106 agreement securing:

- Affordable housing provision and commuted sum.
- Provision of open space.
- A financial contribution towards bus stop improvements.
- A financial contribution towards secondary school transport.
- Contribution towards RAMS (either S106 or S111)

and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans and documents; 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.

- Landscape Plan - 2501-00-10-C - Received 22 March 2021
- Site layout Plan - 3812 SL01 Rev C - Received 22 March 2021
- Landscape management and maintenance Plan 2501-60-30 Rev A - Received 22 March 2021
- Sustainability and Energy statement V4.1- Received 22 March 2021
- 3812 PL03 Rev A - Bungalow Type B Plots 6 and 8 - Received 16 March 2021
- 3812 PL04 Rev A Bungalow Type C Plots 4 (H) and 7 - Received 16 March 2021
- 3812/RevA/RS01 - Refuse Strategy - Received 16 March 2021
- 3812 SS01 Rev A - Street scenes - Received 16 March 2021
- 3812 PL09 - Bungalow Type A - Plot 5 - Received 16 March 2021
- 2501-00-20 Rev A - Planting Plan 1 of 2 - Received 22 December 2020
- 2500-00-21 - Planting Plan 2 of 2 - Received 22 December 2020
- 3812 PL02 - Bungalow Type A plots 2 and 3 - Received 22 December 2020
- 3812 PL01 - House type A Plots 19, 20 and 21 - Received 22 December 2020
- 3812 GO1, G02 and G03 - Garage types - Received 22 December 2020
- 3812 PL05 - bungalow Type D plot 1 - Received 22 December 2020
- 3812 PL06 - House type B Plots 9 (H), 12, 13 and 16 - Received 22 December 2020
- 3812 PL07 - House type D Plots 10 ,11(H), 14 and 15 - Received 22 December 2020
- 3812 PL08 - House type D Plots 17 and 18 - Received 22 December 2020

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

3. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Reptile and Hedgerow Survey report (The Landscape Partnership, May 2018) and the Addendum to Construction Environmental Management Plan and Reptile Translocation report (The Landscape Partnership, March 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. Management of new and existing landscape features must be undertaken in accordance with the approved Landscape Management and Maintenance Plan.

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

4. The surface water drainage related to the development hereby permitted shall be

constructed in all respects strictly in accordance with documents listed below, 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:

- 1) EVANS, Flood Risk Assessment, Ref. 1444/RE/06-15/01 Revision A, November 2020.
- 2) Surface Water Exceedance Flows, Drawing C150, Rev 01, 16/12/2020.
- 3) S104 Drainage Details, Drawing Ref. C114 Rev 01, 23/11/2020.
- 4) SuDS Features Management & Maintenance Plan, Ref 16N0372-CA-01-MMP01, Rev 01, 16/12/2020.
- 5) Armstrong Elliot, Highway & Drainage GA Sheet 01 of 02, Drawing No. C100 Rev 04, 22-03-2021
- 6) Armstrong Elliot, Highway & Drainage GA Sheet 02 of 02, Drawing No. C101 Rev 04, 22-03-2021
- 7) Armstrong Elliot, Construction Surface Water Management Plan, Ref 16N0372-CA-01-CSWMP01, 16th December 2020
- 8) Armstrong Elliot, Drainage Strategy Statement, Ref 16N0372-CA-02-C0001, Rev 01, 16th December 2020
- 8) A F Howland Associates, Ground Investigation Report, ref. ADB/15.266, 16th March 2021
- 9) Armstrong Elliot, Infiltration Testing & Pollution Mitigation Index Assessment, ref. 16N0372/CA/07, 18th March 2021

*Reason: To secure a properly planned development with surface water drainage that will be effective.*

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

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

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

6. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

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

*Reason To ensure a satisfactory appearance within the landscape.*

8. Prior to construction above DCP level details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

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

9. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The Management Plan shall provide details of:

- a. Loading and unloading of plant and materials;
- b. Storage of plant and materials used in the construction of the development;
- c. Materials/plant delivery times;
- d. Construction times;
- e. Parking for construction workers and visitors;
- f. Wheel washing facilities; measures to control the emission of dust and dirt during construction;

*Reason: In the interests of amenity and highway safety due to the potential conflict between construction traffic, new residents and the users of the leisure centre.*

10. No other part of the development hereby permitted shall be commenced until the approved access shown on Drawing Number 16N0372-C020-REV-02 has been laid out and constructed to at least carriageway binder course level. The approved access including associated alterations to kerb and channel lines on Old Station Road shall thereafter be completed in their entirety prior to occupation and shall be retained in the approved form.

*Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and available for use at an appropriate time.*

11. No other part of the development hereby permitted shall be occupied until suitable pram crossing facilities have been provided across Old Station Road, on the walking route from the development to Wissett Road footway via Fenn Close, to details previously approved in writing by the LPA.

*Reason: In the interests of highway safety to ensure a suitably safe and convenient*

*pedestrian route, between the development and the footway on Wissett Road, is properly constructed and available for all users.*

12. Before the access is first used visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (As amended) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

13. The use shall not commence until the area(s) within the site shown on Drawing 3812-SL01-REV- C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

14. Before the development is occupied details of the areas to be provided for the secure, covered and lit cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long-term maintenance of adequate on-site space for the storage of cycles in accordance with Suffolk Guidance for Parking.*

15. Prior to construction above DCP level exact details of the size, location and appearance of the PV panels indicatively shown within drawing no. 3812 SL01 Rev C 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 shall only be removed when they cease to function.

*Reason: To ensure that the development makes adequate provision for renewable and low carbon energy generation as required by Policy WLP8.28 "Sustainable Construction".*

16. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 3812REVA/RS01/REFUSE STRATEGY 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.*

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

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

18. Prior to occupation of the development details of the provision for the installation of fire hydrant(s) shall be submitted to and agreed in writing by the Local Planning Authority. The approved fire hydrant(s) shall be installed as permitted and retained thereafter for the lifetime of the development.

*Reason: In the interest of the safety of the occupiers of the properties.*

19. The landscaping and Local Area for Play shall be managed in accordance with the Landscape Management + Maintenance Plan document Ref: 2501-60- 30 Rev A.

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

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

*Reason: To ensure that the development delivers ecological enhancements.*

21. Prior to occupation of any dwelling details of a management and maintenance plan for the private drive shall be submitted to and agreed in writing by the Local Planning Authority. The approved Management and Maintenance Plan shall thereafter be adhered to in accordance with the approved details.

*Reason: In the interest of highway safety and the visual appearance of the development.*

22. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation

criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

*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.*

23. Details shall be submitted to the Local Planning Authority for approval demonstrating how plots 1-8 shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

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

**Note:** *The meeting was adjourned from 4.43pm to 4.53pm for a short comfort break.*

## **9 DC/21/0935/OUT - Land to the South of Blackheath Road, Wenhaston with Mells Hamlet**

The Committee considered report ES/0760 which gave details of the application seeking outline planning permission with all matters reserved, apart from access, for the proposed erection of two new detached bungalows and associated garages on land off Blackheath Road, Wenhaston with Mells Hamlet.

Members received a presentation showing the site location plan, proposed block plan and street scene, photographs looking into the site and the recent houses being built.

The Planner advised Members of the recently approved application for two 1½ storey dwellings in the vicinity, one of which was built and the second was about to be started. The map view of the application site, and that with the previously implemented and extant consent for another new dwelling, showed that the site would fall within the policy compliant cluster of five or more houses in a continuous built up frontage. Having explained the material planning considerations and key issues relating to the departure from the Local Plan, the principle of housing in the countryside and Highways/visibility splays, the application was being recommended for approval subject to conditions.

Members sought clarification that bungalows would be built and whether this was a suitable location. The Planning Manager confirmed that the application was for two bungalows and the reserved matters would need to be for two bungalows. If the Applicant wished to submit an alternative application, they could do so if they so wished. The policy relating to development in the countryside had changed since the earlier application in 2018 which had been refused. The relevant policy was now that in the Local Plan adopted in 2020.

The Applicant's Agent, Mr B Norton, addressed the Committee and stated that it was the officer's opinion that the dwellings would be part of a cluster in accordance with SCLP policy 5.4. Garden space was being provided around and between the dwellings. The proposal fitted in well with the street scene and any specifics could be dealt with at the reserved matters stage. In his opinion, the appeal against the previous refusal that had been dismissed under the previous Local Plan was no longer a relevant planning consideration. Mr Norton requested Members approve the application in accordance with the officer's recommendation so that delivery could commence.

Having considered the application and there being no further discussion, it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

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

2. Details relating to the layout, scale, appearance, and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

*Reason: To comply with Sections 91 and 92 of the 1990 Act.*

3. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing No. 104/2021/101 P1, received 26 April 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.*

4. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in

accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

*Reason: In the interest of potential contamination on the application site and ensuring safe development on suitable land.*

5. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 4.5m. Thereafter the access shall be retained in the specified form.

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

6. 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.*

7. 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.*

8. Prior to the dwellings 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 an approved in writing by the local planning authority.

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

9. 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.*

10. Before the access is first used visibility splays shall be provided as shown on Drawing No. 104/2021/101 Rev. P1 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.*

11. The use shall not commence until the area(s) within the site on dwg. no. OUT1001 Rev. A for the purposes of, 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.*

12. Before the development is commenced details of the areas to be provided for 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 promote sustainable transport choices.*

## **10 DC/21/0980/FUL - Peakhill Farm, Honey Pot Lane, Kelsale cum Carlton**

The Committee considered report ES/0761 giving details of planning permission being sought for a small touring caravan site for up to 10 caravans or campervans at Peakhill Farm, Kelsale. The application was before Committee as the Applicant was a close relative of a member of staff.

Members received a presentation showing the site location plan and proposed block plan together with a selection of photographs showing the site and its entrance and views in relation to the nearby public footpath.

The Senior Planner advised that the site was separate from the existing Caravan Club site which had been in operation for 10 years. The site would be accessed by an existing concrete farm drive and provide electric hook up facilities. The site was well drained so no hard standings were being proposed, therefore no additional run-off

would need to be considered. It was intended to open the site from Easter to the end of October and provide portable toilets and showers, with a waste disposal facility connected to an existing septic tank. If successful, the Applicant had confirmed that more permanent toilet facilities would be provided. Covid compliant protocols were in place for the existing Caravan Club visitors and the same procedures would be applied at the proposed campsite.

The Senior Planner confirmed it was a small scale tourist facility providing new tourist accommodation with little impact on the countryside. The Rights of Way Officer had made no objection. There would be no impact on highways or residential amenity and no adverse ecological impacts. Approval was therefore being recommended.

Members sought clarification on the opening times and whether the reference to Easter referred to March or April and if a new application would need to come to Committee for permanent WC/shower facilities. The Senior Planner advised that it was intended to capture visitors at Easter so opening times could commence from 1 March and she confirmed that a new planning application would be needed to provide permanent washroom facilities.

Members supported the proposal and it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with plans and information submitted with the application received 01.03.21 and 11.03.21, 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 site shall only be used for a touring caravan site for up to 10 caravans/campervans between Easter and the end of October. No caravans/campervans or associated equipment/facilities shall be stored on the site during the closed season (between November and Easter).

*Reason: In the interests of visual and rural amenity.*

## **11 Enforcement Action - Case Update**

The Committee received report ES/0755 which summarised outstanding enforcement

cases sanctioned under delegates powers or through the Committee up to 22 April 2021. There were currently 13 such cases.

The Assistant Enforcement Officer updated Members with regard to Wissett Way in Lowestoft in that an invoice had been sent out to the owner and a charge had been place on the land. There being no specific questions, it was

**RESOLVED**

That the report concerning Outstanding Enforcement matters up to 22 April 2021 be received and noted.

**After the close of the meeting, the Chairman made the following announcement**

As it was the last Planning Committee North meeting that Liz Beighton would be attending in her role as Planning Development Manager, on behalf of the Committee, the Chairman thanked Liz for her work and advice over the last few years and wished her well in her new job.

The meeting concluded at 5.22pm.

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Chairman