

Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 19 April 2022 at 2.00pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Tom Daly, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Kay Yule

Other Members present:

Councillor Paul Ashdown, Councillor Maurice Cook

Officers present:

Jamie Behling (Trainee Planner), Sarah Carter (Democratic Services Officer), Nick Clow (Energy Projects Co-ordinator), Marianna Hall (Principal Planner), Grant Heal (Planner), Rachel Lambert (Planner - Major Sites), Matt Makin (Democratic Services Officer), Katherine Scott (Principal Planner), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Debbie McCallum; Councillor Paul Ashdown attended the meeting as Councillor McCallum's substitute.

Councillor Stuart Bird, as Vice-Chairman of the Committee, acted as Chairman of the meeting in Councillor McCallum's absence.

2 Declarations of Interest

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Suffolk County Council whose Division included the villages of Trimley St Mary and Trimley St Martin.

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 12 of the agenda as a member of Felixstowe Town Council and Chairman of that authority's Planning and Environment Committee.

Councillor Chris Blundell declared a Local Non-Pecuniary Interest in items 6 and 7 of the agenda as both the Ward Member for Martlesham and a member of Martlesham Parish Council.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 12 of the agenda as a member of Felixstowe Town Council.

Councillor Mark Newton declared a Local Non-Pecuniary Interest in item 11 of the agenda as both Ward Member for Rushmere St Andrew and a member of Rushmere St Andrew Parish Council.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Stuart Bird, Mike Deacon and Kay Yule all declared they had been lobbied on item 8 of the agenda by the applicant and had not responded to any correspondence.

Councillors Tom Daly and Colin Hedgley declared that they had been lobbied on item 8 of the agenda and had not responded to any correspondence.

4a Minutes - 7 March 2022

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

RESOLVED

That the Minutes of the Extraordinary Meeting held on 7 March 2022 be agreed as a correct record and signed by the Acting Chairman.

4b Minutes - 22 March 2022

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

RESOLVED

That the Minutes of the Meeting held on 22 March 2022 be agreed as a correct record and signed by the Acting Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1115** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 18 March 2022. At that time there were 12 such cases.

The report was taken as read and the Acting Chairman invited questions to the officers.

In response to a question on the ongoing enforcement case relating to land adjacent to Oak Spring, The Street, Darsham, the Assistant Enforcement Officer confirmed that the case was with the Council's Legal team for further action. The Assistant Enforcement Officer advised that he would seek an update from the Legal team and email members of the Committee with an update. The Planning Manager (Development Management)

added that work was underway on how to present enforcement action information to Members in a more informative way and officers intended to bring a comprehensive update to the next meeting of the Strategic Planning Committee.

The Assistant Enforcement Officer, in reply to a question regarding possible enforcement action at Sandy Lane, Martlesham, stated that he had encountered difficulty in obtaining plans regarding the industrial units at the front of the site to determine where planning permission lies. The Assistant Enforcement Officer said he had been working with other agencies and looked to progress this case in the coming weeks.

There being no further questions the Acting Chairman sought a proposer and seconder for the recommendation to receive the report.

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

RESOLVED

That the outstanding enforcement matters up to 18 March 2022 be received.

6 DC/21/4004/ARM - Land to the South and East of Adastral Park

The Committee received report **ES/1116** of the Head of Planning and Coastal Management, which related to planning application DC/21/4004/ARM.

The application sought the approval of reserved matters, namely the construction of 119 dwellings (including 34 affordable houses), associated works, landscaping and infrastructure for Phase E1, together with details of Green Infrastructure relating to the adjoining part of the southern boundary (Ipswich Road) Suitable Alternative Natural Green Space (SANG), on planning consent DC/20/1234/VOC.

In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had requested that the decision be made by the Committee due to the significance of the Brightwell Lakes proposal. This was one of the first reserved matters application for the design of housing and it was considered important to place this before the Committee for determination.

The Committee received a presentation from the Planner (Major Sites), who was the case officer for the application.

The Planner summarised the conditions within the outline permission which required the submission of details as part of or prior to a reserved matters submission which were addressed in the application.

The relevant planning history on the site was outlined, both the permitted applications and the applications pending consideration. The Planner confirmed that this application related to Phase E1 of the Brightwell Lakes development.

The wider Brightwell Lakes strategic site was displayed, and the Committee was advised how it related to the wider area. A map displaying the phasing of the strategic site was shown to Members and the Planner outlined the location of application site.

The proposed site layout was displayed, and members of the Committee were provided with additional detail on site access, the proposed location of the primary school and the green corridor.

The Committee received the character banding parameter plan, land use parameter plan, density parameter plan, and the building heights parameter plan.

An indicative housing layout and the proposed housing mix and tenure were displayed.

The Planner explained that given the spatial extent of Brightwell Lakes and the phased nature of its development, it had been agreed that the proposed housing mix and affordable housing would be considered in the context of the wider site as a whole, the latter being set at 25% across the site by the Section 106 agreement. The Planner detailed the proposed housing mix across parcels E1, E1a, W1 and W1a and the proposed affordable housing provision for E1.

The Committee received the plans for storey heights, materials and boundary treatments.

The Planner displayed images of the proposed streetscenes for the western edge fronting the SANG and the southern edge fronting Ipswich Road.

The Committee received the landscape masterplan and plans for parking, highways adoption, refuse strategy, connectivity, surface water drainage, surface water catchment, and proposed earthworks. The Planner outlined that the connectivity plan remained open to consultation.

The Planner concluded that the reserved matters proposal had been informed by the parameters established within the outline planning permission and that the application demonstrated that this phase of the development would promote a high-quality design that responded positively to the characteristics defined by established parameter and character plans.

Members were advised that officers considered the scale, appearance, and layout of the proposal was considered policy compliant, with the aim of providing a well-integrated and sensitively designed scheme, in terms of connectivity and green infrastructure. The Planner explained that whilst there were still outstanding comments to address, the fundamental component of the submitted scheme was considered acceptable.

The Planner summarised the planning considerations that had been addressed within the reporting.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee. The Planner referred to the revised recommendation contained within the update sheet, which had been circulated to the Committee and published on the Council's website on 14 April 2022.

The Acting Chairman invited questions to the officers.

It was confirmed that the outline planning consent included a condition for electric vehicle (EV) charging points to be delivered after the first 1,000 dwellings had been constructed but the applicant was considering installation at this stage and would be able to elaborate further.

The Planner noted that the holding objection from the Highways Authority related to several minor points which required further clarification of detail from the applicant, which was covered in the latest response.

The Planning Manager (Development Management) explained that the term intermediate rent referred to properties whose rent was above the cost of affordable or social rent but below market rent.

The Planner confirmed that a condition requiring the development to provide the policy compliant number of accessible dwellings would be included with any consent.

The Planning Manager outlined the process of consulting the Chairman and Vice-Chairman of the Committee on outstanding matters before issuing planning consent, where authority to approve an application had been delegated by the Committee.

The Committee was informed that there would be 27 visitor parking spaces across the site.

The Acting Chairman invited Councillor Ian Kay, representing Waldringfield Parish Council, to address the Committee.

Councillor Kay said that Waldringfield Parish Council was concerned about the access strategy submitted, considering it contained contradictions and ambiguities in terms of vehicle access. Councillor Kay did not believe the access strategy was deviating from the conditions of the outline planning consent but considered its wording to be misleading.

Councillor Kay referred to the submission from the Parish Council's tree warden which critiqued the planting scheme. Councillor Kay was pleased to see this had prompted further discussion to ensure that the planting scheme would be of the highest quality and asked the Committee to make sure that these comments were taken onboard by the applicant to improve biodiversity and attractiveness on the site.

Councillor Kay advised that the Parish Council had only been given two working days' notice that this application was being considered at the meeting and was of the view this was not adequate, asking for sufficient notice in future.

Councillor Kay said he had been concerned to read in the report that future reserved matters applications for the Brightwell Lakes site would not automatically be referred to the Committee for determination and considered it appropriate and necessary for all reserved matters applications to be determined by Members, as each parcel of development was significant in its own right and would be considered a major development anywhere else.

The Acting Chairman sought clarity from the Planning Manager on some of the points raised by Councillor Kay. The Planning Manager explained that the two working days' notice that Councillor Kay had referred to related to a courtesy email sent by the Planner and that established procedure was for interested parties to register on Public Access to receive notifications on when an application is scheduled on a committee agenda.

In regard to the comment on future reserved matters applications, the Planning Manager explained that although applications would not automatically be referred to the Committee for determination any applications meeting the trigger point for the Planning Referral Panel would still be referred to that body, who would recommend if the application be determined by either the Committee or by the Head of Planning and Coastal Management via the authority delegated to him by the East Suffolk Council Constitution.

There being no questions to Councillor Kay the Acting Chairman invited Mr Jordan Last, representing the applicant, to address the Committee.

Mr Last said that the application was an important milestone for Brightwell Lakes and the early phases of development would set the tone for what was delivered on the flagship site. Mr Last said that the applicant had worked hard with all parties to create high-quality proposals and announced that a Brightwell Lakes community website would be launched to provide updates on the site's development and facilitate a smooth transition for life on the site.

Mr Last noted that as a former quarry the site's development was complex, and plans had been required to be amended in response to this. Mr Last highlighted that the site drainage had been revisited and this resulted in more open space.

Mr Last acknowledged that the outline planning consent guided how the dwellings had been designed and considered that the variations in the proposed architecture will assist in wayfinding throughout the development. Mr Last outlined that cycle routes would be included in the site and that open spaces would provide a variety of native trees, wildflower, and shrub trees resilient to climate change.

Mr Last confirmed that the site would be built to the upcoming building regulation standards and that EV charging points would be provided for all houses with parking within the curtilage.

The Acting Chairman invited questions to Mr Last.

Mr Last said it was anticipated that the dwellings would be heated with either air or ground source heat pumps but could not commit to this as it was dependent on the

timescale of upgrades to an off-site electricity sub-station and the capacity of the site. Mr Last considered it was not logical to heat some houses with older technology and others with new technology and the applicant wanted to provide air/ground source heating at Brightwell Lakes from day one.

Mr Last confirmed that there would be EV charging points for communal parking areas and that over 75% of the dwellings in phase E1 would have their own EV charging points, due to the low density on the site.

It was anticipated by Mr Last that the first homes would be occupied in February 2024 but would likely be on sale before that time.

Mr Last confirmed that there would be indigenous species planted in the open spaces on the site.

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

Councillor Blundell, who was also the Ward Member for the application site, opened the debate and noted that a stage had been reached where most problems on the site were being discussed and addressed. Councillor Blundell expressed concern that the issue of medical facilities on the site had not been resolved and that residents were likely expected to travel off Brightwell Lakes to access a GP surgery; he added that outstanding issues around connectivity with Martlesham added to this concern.

Councillor Blundell was of the view that residents of the site should decide whether it becomes part of the parish of Martlesham or forms its own parish. Councillor Blundell noted that visitor numbers to the site would be large and would impact on the A12, acknowledging that this was beyond the remit of the Committee.

Councillor Deacon said it was refreshing to hear that the applicant planned to use air/ground source heating from the start of the development and considered this to be a positive point.

Councillor Ashdown sought confirmation that should the application be approved the Committee would be made aware of the agreed conditions. The Planning Manager confirmed that would be the case.

There being no further debate the Acting Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

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

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to no new material issues being raised during the

latest re-consultation period, all outstanding statutory holding objections and other matters being resolved, and agreement of conditions.

7 DC/21/4005/ARM - Land to the South and East of Adastral Park

The Committee received report **ES/1117** of the Head of Planning and Coastal Management, which related to planning application DC/21/4005/ARM.

The application sought the approval of reserved matters, namely the construction of three dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase E1a), on planning consent DC/20/1234/VOC.

In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had requested that the decision be made by the Committee due to the significance of the Brightwell Lakes proposal. This was one of the first reserved matters application for the design of housing and it was considered important to place this before the Committee for determination.

The Committee received a presentation from the Planner (Major Sites), who was the case officer for the application.

The Planner summarised the conditions within the outline permission which required the submission of details as part of or prior to a reserved matters submission which were addressed in this application.

The relevant planning history on the site was outlined, both the permitted applications and the applications pending consideration. The Planner confirmed that this application related to Phase E1a of the Brightwell Lakes development.

The wider Brightwell Lakes strategic site was displayed and the Committee was advised how it related to the wider area. A map displaying the phasing of the strategic site was shown to Members and the Planner outlined the location of application site.

The site's location was outlined, and the proposed site layout was displayed.

The Committee received the character banding parameter plan, land use parameter plan, density parameter plan, and the building heights parameter plan.

The Planner outlined the housing mix and tenure and how it would be dispersed across the site.

The Committee received plans for materials, storey height and boundary treatment.

The Planner displayed an image demonstrating the streetscene on the southern edge fronting Ipswich Road.

The Committee was shown the landscape masterplan and detailed landscaping.

The Committee received the movement & access parameter plan, parking and cycle strategy, refuse strategy, highways adoption plan, connectivity plan, surface water drainage plan, surface water catchment plan and the proposed earthworks.

The Planner summarised the planning considerations that had been addressed within the reporting.

Members were advised that officers considered the scale, appearance, and layout of the proposal was considered policy compliant, with the aim of providing a well-integrated and sensitively designed scheme, in terms of connectivity and green infrastructure. The Planner explained that whilst there were still outstanding comments to address, the fundamental component of the submitted scheme was considered acceptable.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee. The Planner referred to the revised recommendation contained within the update sheet, which had been circulated to the Committee and published on the Council's website on 14 April 2022.

There being no questions to the officers the Acting Chairman invited Mr Jordan Last, representing the applicant, to address the Committee.

Mr Last said that he had nothing further to add to his comments on DC/21/4004/ARM earlier in the meeting and said he was happy to answer any questions.

The Acting Chairman invited questions to Mr Last.

Mr Last, in response to a question on comments made by Kesgrave Town Council, said that no discussions had been held with the NHS regarding medical facilities on the site. Mr Last explained that there was a Section 106 obligation to either provide on-site facilities or make a financial contribution towards medical facilities off-site.

The Planning Manager added that officers had been keen to keep these options open despite the local NHS Clinical Commissioning Group (CCG) being clear they did not want to provide medical facilities on the site and the Section 106 Agreement reflected this; the trigger point to conclude this issue was 500 dwellings and it was still possible that an on-site option could be delivered but was unsure on what the CCG's current position was.

Mr Last confirmed the dwellings on the site would be show homes and it was hoped that they would be built to the upcoming Building Regulations standards. Mr Last reiterated his comments when discussing DC/21/4004/ARM that he was not able to guarantee this at this stage.

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

Councillor Blundell, who was also the Ward Member for the application, opened the debate and noted the network of GP surgeries in the wider area which could be

accessed by residents of the site. Councillor Blundell highlighted that no reference had been made to a secondary road but considered that issues would be identified and addressed as the wider site was developed.

There being no further debate the Acting Chairman sought a proposer and a seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

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

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to no new material issues being raised during the latest re-consultation period, all outstanding matters being resolved, and agreement of conditions.

8 DC/20/5279/OUT - Land Adjacent to Reeve Lodge, High Road, Trimley St Martin

The Committee received report **ES/1118** of the Head of Planning and Coastal Management, which related to planning application DC/20/5279/OUT.

The application sought outline planning permission with all matters reserved expect access, for a phased scheme for: the erection of up to 139 new homes, including provision of up to 46 affordable homes; land for a two-form entry primary school with pre-school; open space; sustainable urban drainage; meadow and informal path on land south of Gun Lane; and all associated infrastructure provision.

In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the Head of Planning & Coastal Management had requested that the application be determined by the Committee due to the scale of development and the wider public interest.

The Committee received a presentation from the Planner (Major Sites), who was the case officer for the application.

The site's location was outlined, and the Planner set out its relationship with the wider areas. The site was described as arable farmland and was bordered on the west to open countryside and to the east by High Road and existing properties. The Planner highlighted that the site was intersected by a restricted byway known as Gun Lane and a second Public Right of Way (PRoW), Footpath 4, crossed the northern corner of the site.

The Committee was shown photographs of the site demonstrating views looking north-west from High Road, looking south-east from High Road, looking north-west from within the site, looking north-east towards Reeve Lodge, looking south-east towards the allotments, looking west from Gun Lane, and looking north-east from Gun Lane.

The Planner explained that the site was allocated for development by policy SCLP12.65 of the Suffolk Coastal Local Plan (the Local Plan) and therefore the principle of development on the site was established. The Committee was provided with an aerial image of the site showing the allocated site in relation to the settlement boundary and its proximity to another site allocated for development by policy SCLP12.64 of the Local Plan. The Planner outlined the requirements of SCLP12.65.

The Committee was advised that although the quantity of up to 139 dwellings proposed was below the approximately 150 dwellings suggested in SCLP12.65, the density of 26.8 dwellings per hectare (dph) was higher compared to the policy provision of 23.5 dph and was broadly in accordance with the policy objectives and considered acceptable.

The Planner noted that of the 139 dwellings, 93 would be market homes and 46 would be affordable homes and at least 50% of all the new homes will be built to part M4(2) of the Building Regulations and in accordance with Policy SCLP5.8 of the Local Plan relating to housing mix. The proposed scheme would also provide 5% of new homes to be custom/self-build properties, in accordance with policy SCLP5.9 of the Local Plan.

The Planner advised Members that all plans submitted with the application were indicative as the application was for outline planning permission with all matters reserved except for access.

The Committee received indicative/illustrative plans relating to housing, affordable housing, self-build/custom build housing, parameter, the primary school and early years provision, open space, landscaping, and attenuation basins.

The Planner highlighted that the illustrative layout showed the primary school site within the western area of the application site which met specific policy requirements for the location of the new primary school and was considered acceptable in respect of an outline planning permission.

The Committee was advised that the proposed open space on the site far exceeded the requirement of 0.75 hectares, with 1.5 hectares of open space provided to the south of Gun Lane and further open space located in the north-west of the site. The public open space would be multi-functional greenspace for informal recreation, links to the wider countryside and provide biodiversity enhancements. The location of the open space adjacent to the existing play area at Goslings Way would also ensure that there was access to formal play opportunities.

The Planner highlighted that the provision of open green space to the south of Gun Lane also contributed to the separation of the two Trimley villages, along with planting alongside Gun Lane. The land reserved for school provision would also be bounded by new native species buffer planting. The Committee was informed that a landscape masterplan had been included which was anticipated to be especially effective in moderating effects and contributing to the local landscape character.

It was confirmed that an Ecological Assessment had been undertaken; a preliminary appraisal was completed in 2018 and a further survey was undertaken in August 2020. The Planner said that the submitted material and additional amendments had

been reviewed by the Council's Senior Ecologist who had not raised any objections subject to mitigation measures and appropriate conditions.

The site was identified as being in Flood Zone 1, where there is less than 0.1% annual probability of river or sea flooding. The Planner stated that the assessed flood risk from surface water was considered very low, although there were some areas highlighted as being at medium risk. The Flood Risk Assessment identified that the risk could be suitably managed by using the proposed sustainable features. The Lead Flood Authority had reviewed that application and had recommended approval subject to conditions.

The Committee was made aware that Anglian Water had confirmed there was adequate capacity to connect the development to the existing foul sewer running along High Road and be able to treat the anticipated flows.

The Planner noted that the Highways Authority had reviewed the proposals and recommended approval subject to conditions and financial provisions secured via a Section 106 Agreement. The proposed accessing arrangements for the external layout access roundabout layout were considered to be broadly acceptable and would be subject to a recommended planning condition with delivery via a Section 278 Agreement prior to first occupation. The Planner confirmed that the pedestrian and cycle access proposed was acceptable but considered that all pedestrian links should be upgraded where possible to cycle links. The Committee was advised that the applicant was working with the Highways Authority regarding resurfacing of Gun Lane as part of this.

It was highlighted that the site had been identified as having a very high archaeological potential and that whilst there were no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets, a planning condition would apply to record and advance understanding of the significance of any heritage asset before it was damaged or destroyed.

In respect of sustainable construction, the Planner said the proposed scheme should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate set out in the Building Regulations and that the optional technical standard in terms of water efficiency should also be achieved.

The Planner outlined that the Council's Environmental Protection Team had formally reviewed the application and raised no objection subject to conditions.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee.

The Acting Chairman invited questions to the officers.

The Planner outlined the indicative access points for the primary school site; the precise position of the access would be determined by a reserved matters application.

The Planner confirmed that no further concerns had been raised by Network Rail in respect of the neighbouring rail crossing, which had been upgraded and was now considered safe and secure.

The Committee was advised that a Section 106 Agreement would set the number of affordable dwellings, which would be required to be 33% of the total number approved by a reserved matters application.

Officers reiterated the comments of Anglian Water on sewerage, set out in the report, that the existing sewer could accommodate the site.

In response to questions relating to the transport assessments, officers advised that the Highways Authority had reviewed the submitted information in detail which had resulted in several recommended obligations for a Section 106 Agreement to ensure the development was adequate and supportable; this included a third-party transport assessment. The Planner said that the Highways Authority had given assurances on the quality of the transport assessments completed.

The Acting Chairman invited Mr Rob Snowling, representing the applicant, to address the Committee.

Mr Snowling said that the application sought to deliver a high-quality landscaping and design led scheme, including a new primary school. Mr Snowling advised that the scheme had been created through extensive consultation and engagement with all parties and had been amended to include significant public open space south of Gun Lane, in response to community feedback.

Mr Snowling highlighted that there would also be open space in the north-west of the site and there would be walking and cycling links between Footpath 4 and Gun Lane. The Committee was informed that hedgerow planting on the site would provide a net gain for biodiversity on the site.

It was outlined by Mr Snowling that there would be two main points of access for the school to allow pick up and drop off away from Howletts Way. Mr Snowling highlighted the benefits a new school would bring to the area.

Mr Snowling confirmed that a high proportion of dwellings would be custom build and the scheme would include accessible bungalows to meet the needs of older people. All dwellings would be built to fabric first standard and utilise both air source heat pumps and solar panels; Mr Snowling added that sustainable construction methods would be adopted and electric vehicle (EV) charging points would be installed.

Mr Snowling considered that the proposed development was of high quality, would benefit the area and be a long-lasting addition.

The Acting Chairman invited questions to Mr Snowling.

Mr Snowling confirmed that a traffic assessment had been undertaken to inform the transport assessment, which had been conducted prior to the COVID-19 pandemic. Census data had also been used to assess commuting levels and likely

commuting routes. Mr Snowling was confident that a robust assessment had been undertaken.

Mr Snowling confirmed that should the application be approved it was anticipated that a reserved matters application would be submitted in late 2022 with a view to begin development of the site in 2024/25. Mr Snowling said that this would allow the new primary school to open for September 2025.

Mr Snowling outlined the archaeological surveys that had been undertaken on the site in accordance with the requirements of Suffolk County Council and confirmed that any artefacts found during development would be collected and preserved.

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

Councillor Deacon expressed reservations about the impact of the development, along with other planned developments, on the traffic through the two Trimley villages, referring to the comments made by Councillor Richard Kerry as the Ward Member for the application site. Councillor Deacon said it was apparent that High Road was very busy and sympathised with the concerns made by the two parish councils, particularly the comments of Trimley St Mary Parish Council about local traffic choosing to use High Road to travel to Felixstowe rather than the A14.

Councillor Hedgley concurred with the concerns about the impact of traffic and was unconvinced by the modelling presented. Councillor Hedgley queried if the Highways Authority had plans on how to mitigate any issues.

There being no further debate the Acting Chairman sought a proposer and a seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Daly, seconded by Councillor Blundell it was by a majority vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to agreement of conditions and the completion of a Section 106 Legal Agreement.

Section 106 Agreement – Draft Heads of Terms

The proposed Heads of Terms (pending agreement) are as follows:

- Provision of affordable housing at up to 33% of overall provision across a defined tenure mix to be agreed with the Council in accordance with Policy SCLP5.10

- Arrangements for the transition of the land identified for education use to Suffolk County Council for the purpose of the construction of a new primary school and associated pre-school, as well as respective financial contributions.

- Arrangements for management and maintenance of the public open space to be transferred to a management company.
- Financial contribution to mitigate in-combination effects on European designated sites in accordance with the Suffolk Recreational Avoidance and Mitigation Strategy.
- Financial contribution for a Travel Plan.
- Financial contribution to upgrade the nearest bus stops.
- Financial contribution to add into the service provision in the area would also help to make the site more viable by enabling increased links to Woodbridge/Martlesham as well as Ipswich & Felixstowe.
- Financial contribution for offsite mitigation: resurfacing Gun Lane (RB3) and in relation to Garrison Lane junction.

Conditions:

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

2. This permission is an outline planning permission issued in accordance with the Town and Country Planning (General Development Procedure Order (2010)) and before work on the development is begun, approval of the details of the following, herein called the "reserved matters", shall be obtained from the local planning authority:

- The quantity, type and layout of buildings within the proposed development;
- The precise height, width and length of individual buildings;
- The appearance of buildings (including proposed materials);
- Access details within the site for vehicles, cycles and pedestrians; and
- Landscape and open space proposals.

Reason: As provided for in the Town and Country Planning (General Development Procedure Order (2010)) no such details having been given in the application.

3. Prior to the first application for approval of reserved matters and informed by the submitted indicative masterplan and its parameters, a Design Brief for the site be submitted and approved in writing. This shall include a set of Design Principles including:

- a. the principles for determining the design, form, heights and general arrangement of external architectural features of buildings;

- b. the principles of the hierarchy for roads, pedestrian and cycle routes and public spaces and arrangements for car parking;
- c. the principles for the design of the public realm and green infrastructure;

The Design Brief shall include a two-dimensional layout drawing that shows:

- a. the broad arrangement of development blocks including indications of active frontages;
- b. density ranges;
- c. maximum building heights;
- d. character areas;
- e. the location and general extent of public open space, including Play Areas;
- f. existing landscape features to be retained; and
- g. proposed structural planting.

Submissions for the approval of the reserved matters shall accord with the approved Design Brief.

Reason: To secure a high-quality design and layout of the development.

4. Prior to the submission of the first reserved matters application, a Self-Build Design Code shall be submitted to and approved in writing by the local planning authority. The Design Code shall explain its purpose, structure and status, and set out the mandatory and discretionary elements where it will apply, including who should use it and how to use it. It shall include a set of design principles as part of the wider design strategy:

Urban design principles

- views, vistas and focal points
- street and driveway surfaces
- public realm
- layout (including active frontages)

Building design and self-build/custom choice detail

- form of buildings
- plot design and layout
- building heights
- elevational principals
- materials and colours
- architectural features and key details
- sustainability

Parking and servicing

- quantum and arrangement of car parking
- location of bins and utilities
- cycle parking requirements

Landscaping

- surface materials
- location and extent of green infrastructure
- street furniture and lighting

- biodiversity
- structural planting

All subsequent reserved matter applications shall accord with the details of the approved design code and be accompanied by a statement that demonstrates compliance with the code.

Reason: To ensure high quality design and coordinated development in accordance with Policy SCLP11.1 (Design Quality) and to facilitate continuity through cumulative phases of development in accordance with Policy SCLP5.9 (Self Build and Custom Build Housing) of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

5. Concurrent with the first reserved matters application, a phasing plan shall be submitted to and approved by the local planning authority. Thereafter the development shall be undertaken in accordance with the approved plan.

Reason: To ensure that the works are completed in an appropriate order.

6. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented in its entirety prior to the occupation of the building. It shall thereafter be retained and maintained in its improved form.

Reason: In the interests of the safety of the future occupants of the hereby approved development.

7. Prior to the commencement of development, the implementation of a programme of archaeological work shall be secured in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the local planning authority. The scheme of investigation shall include an assessment of significance and research questions;

and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the local planning authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with

Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

8. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the local planning authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

9. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in broad accordance with drawing PL101 Rev A. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

10. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on drawing PL101 Rev A have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed under section 278 in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel.

11. Prior to commencement of development (including any demolition, ground works, site clearance or other operational works), a construction management plan shall be submitted to and approved in writing by the local planning authority. It shall include but is not limited to the following matters:

- parking and turning for vehicles of site personnel, operatives and visitors;
- provision of public car parking during construction;
- loading and unloading of plant and materials;
- piling techniques (if applicable);
- storage of plant and materials;
- provision and use of wheel washing facilities;
- programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works;
- site working and delivery times;
- a communications plan to inform local residents of the program of works;
- provision of boundary hoarding and lighting;
- details of proposed means of dust suppression;

- details of measures to prevent mud from vehicles leaving the site during construction;
 - haul routes for construction traffic on the highway network;
 - monitoring and review mechanisms;
 - details of delivery times to the site during construction phase;
 - details of the measures to protect footpaths/cycleways from motorised vehicles accessing them;
- and
- control of dust during construction (as per recommendations within the Air Quality Assessment)

Thereafter, the approved construction management plan shall be adhered to throughout the construction of the development.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway, to ensure minimal adverse impact on the public highway during the construction phase, and to reduce the potential impacts of noise pollution and additional vehicular movements in this area during the construction phase of the development.

12. All noisy construction activities (i.e., those audible beyond the site boundary) should be restricted to the following hours to minimise the potential for nuisance:
- Monday - Friday: 07h30 – 18h00;
 - Saturday: 08h00 – 13h00; and
 - Sundays/Bank Holidays: No noisy working.

These restrictions also apply to deliveries/collections from site.

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

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

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

14. No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard.

15. Prior to the occupation of any dwelling details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. The Travel Plan should be based on the submitted Framework Travel Plan (dated December 2020), comments in the Suffolk County Council Highways response (dated 22nd January 2021) and current national Travel Plan guidance, and also contain the following:

- Baseline travel data based upon the information provided in the submitted Transport Assessment, with suitable measures, objectives and targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
- Appointment of a Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
- A suitable approach to monitoring the vehicular trips generated by residents in accordance with the Suffolk Travel Plan Guidance.
- A suitable approach to monitoring the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan, or as agreed with the local planning authority in consultation with the highway authority, to be submitted to and approved in writing by the local planning authority for a minimum of five years using the same methodology as the baseline monitoring.
- A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process.
- An indicative Travel Plan budget that demonstrates that the Travel Plan will be suitably funded.
- A copy of a resident's travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area.

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved measures within the Travel Plan shall be implemented in accordance with an agreed timetable (included within the plan) and shall thereafter be adhered to in accordance with the approved plan.

Reason: In the interest of sustainable development as set out in the National Planning Policy Framework and relevant local planning authority policies.

16. Concurrent with the first reserved matters application, details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with local plan sustainable transport policies.

17. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved Flood Risk Assessment and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;

- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority.

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

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

18. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the local planning authority, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the local planning authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

19. Prior to commencement of the hereby approved development, a detailed sustainability and energy statement shall be submitted to and approved in writing by the local planning authority. The statement shall detail how the dwellings hereby permitted achieve current sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. Development shall be undertaken in accordance with the approved statement, unless otherwise approved in writing by the local planning authority.

Reason: To ensure a sustainable standard of design interest of addressing climate change to secure sustainable development in accordance with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

20. Prior to first occupation of the hereby approved development, details of all measures that have been completed as stated in the sustainability and energy statement (approved under Condition 19), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

21. Prior to first occupation of the hereby approved development, evidence of energy performance and water efficiency standards shall be submitted to, and approved in writing by, the local planning authority.

The dwelling(s) within the hereby approved development should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day, as measured in accordance with a methodology approved by Building Regulations Approved Document G.

Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards.

Reason: To ensure that the finished dwelling(s) comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

22. An application for the approval of the reserved matters shall include provision for 50% of all dwellings to meet the Requirements of M4(2) (or M4(3)) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/ plots meet the M4(2) (or M4(3)) standards.

Reason: To ensure the development complies with Policy SCLP5.8 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

23. No development shall commence until precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

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

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

25. No development shall commence until there has been a management plan for maintenance of the associated landscaped areas and the open space, submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The management plan should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

26. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development will be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

27. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Assessment (Hopkins Ecology, December 2020) and the Skylark Survey 2021 (Hopkins Ecology, August 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

29. Commensurate with the first reserved matters application, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

30. Commensurate with the first reserved matters submission, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.

- e. Prescriptions for management actions.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organisation responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced. 31. Commensurate with the first reserved matters submission, 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.

32. Commensurate with the first reserved matters submission, details of the mitigation measures identified by the Habitats Regulations Assessment process shall be submitted to and approved in writing by local planning authority. These shall include details of onsite public open space and walking route provision, connections to adjacent public rights of way, provision of dog waste bins and provision of signage and leaflets identifying walking routes away from European designated sites. All identified measures shall be implemented in accordance with the approved details.

Reason: To ensure that the measures necessary to mitigate recreational disturbance impacts on European designated sites are delivered.

33. If any phase of the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within three years from the date of the planning consent, the approved ecological measures shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species present on the site, and identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

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

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

A Phase 2 intrusive investigation(s), to include:

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

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

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

35. 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.

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.

36. Prior to any occupation or use of the approved development the RMS approved under Condition 35 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.

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.

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

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

38. In the event that contamination which has not already been identified to the local planning authority is found or suspected on the site it must be reported in writing immediately to the local planning authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the local planning authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the local planning authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the 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.

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 (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. It is recommended that a check of the buildings and vegetation for nesting birds is undertaken prior to work commencing. Nesting birds are protected by the Wildlife and Countryside Act (1981). It is therefore recommended that any works take place outside the nesting season. If birds are encountered advice should be sought from a suitably qualified ecologist on how best to proceed.

3. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

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

5. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. Contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.

6. This consent is also the subject of a Section 106 legal agreement which must be adhered to.

7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

8. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991.

Contact Development Services Team 0345 606 6087.

9. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991.

Contact Development Services Team 0345 606 6087.

10. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

11. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

12. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

13. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

14. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for firefighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

15. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

17. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> County Council drawings DM01 - DM14 are available from: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/> A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

18. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>.

19. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.

20. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>.

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

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

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

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

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

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

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

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development.

Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>.

Following the conclusion of this item the Acting Chairman adjourned the meeting for a short break. The meeting adjourned at 3.52pm and reconvened at 4.02pm.

9 DC/21/0757/FUL - Land North of The Street, Kettleburgh, Woodbridge, IP13 7JP

The Committee received report **ES/1119** of the Head of Planning and Coastal Management, which related to planning application DC/21/0757/FUL.

The application sought full planning permission for the construction of 16 dwellings, (including five affordable homes) a new shared vehicular access, driveways, cart lodges and garages on land north of The Street, Kettleburgh, IP13 7JP.

The application was before the Committee as Kettleburgh Parish Council had raised objections to the proposal. In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had

requested that the decision be made by the Committee as the proposal was a major housing development on an allocated site and thus warranted consideration by Members due to its scale, allocated status and the level of public interest in the proposal.

The Committee received a presentation from the Planning Manager (Development Management), on behalf of the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial photo of the site and its relationship with the wider area.

The Planning Manager highlighted that the site was allocated for development by policy SCLP12.53 of the Suffolk Coastal Local Plan (the Local Plan) and therefore the principle of development on the site was established. The Planning Manager outlined the requirements of SCLP12.53.

The proposed block plan for the site was displayed.

The Committee was advised that a Public Right of Way (PRoW), Footpath 19, abutted the western boundary of the site and the Planning Manager highlighted the boundary of the Highways Authority ownership of the adopted highway at the front of the site.

The Committee received photographs demonstrating views of the site looking towards the south-west across the frontage of the site, back towards the site, directly into the site, looking towards the north-east edge of the site, looking up The Street to the north-east, directly up into the site, from the north-east boundary looking to the south-west, within the site towards The Street, and towards the site demonstrating the low valley character of the area.

The Committee received the current topographical survey for the site.

The Planning Manager returned to the proposed block plan and detailed how the site fits into the immediate area, the proposed location of the attenuation basin, the road configuration and access to the future field site.

The Committee was informed that the proposed housing mix accorded with policies SCLP5.8 and SCLP5.10 of the Local Plan and was provided with a breakdown of the proposed types and tenures for the site.

The Committee received images of the proposed streetscenes, the proposed elevations and floor plans for the 16 plots on the site and the proposed elevations for the cart lodges.

The Planning Manager referred to an extract from the Flood Risk Assessment and highlighted the surface water flooding risk areas; this was described as being a key issue for the application. The Planning Manager advised members of the Committee that there was an existing drainage ditch on the western boundary of the site and a condition would be needed to secure access rights for its clearance.

The Planning Manager highlighted the proposed surface water drainage and explained that a range of cellular attenuation tanks would be placed across the site to pipe and remove water from the site in an appropriate manner.

The material planning considerations and key issues were summarised as the principle of development, the design and layout, affordable housing and mix, sustainable construction, landscape, visual impact and ecology, residential amenity, highways, sustainable transport and public rights of way, flood risk and surface water drainage, archaeology, and financial contributions.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee.

The Acting Chairman invited questions to the officers.

The Planning Manager identified that parking for the terraced houses would be at the rear of the property and each dwelling would benefit from two parking spaces. The parking provision on the site was stated to be policy compliant.

It was confirmed that the attenuation pond was designed to be full only for a once in a 100-year storm event and would generally be quite dry. The pond would be fenced off and this would be agreed in the final landscaping details.

The Planning Manager advised that the concerns raised by the Highways Authority had been resolved.

In response to a question on surface water drainage, the Planning Manager explained that the proposed system would discharge water from the site at a rate no more than if it was left as a green surface towards the upper River Deben.

The Chairman invited Mr Simon Rainger, who objected to the application, to address the Committee.

Mr Rainger explained that he owned the equine property neighbouring the site's western boundary and stated that the hedge defined the boundary, not the fence, and that Footpath 19 crossed his property.

Mr Rainger said that the ditch referred to was not in use due to ownership issues and was connected to an extensive system of drainage ditches in the area. Mr Rainger said it was unclear from the evidence provided what the arrangements would be for the maintenance of the ditch. Mr Rainger added that the local flood authority had questioned the maintenance proposed for the attenuation basin and considered that nothing material had been changed in the plans as a result of this.

Mr Rainger stated that due to ground water levels a borehole would be required on the site, and this did not appear in the application. Mr Rainger was unsure how surface water would be discharged from the site.

It was noted by Mr Rainger that the stables on his property would be 10 metres from the proposed flats and would be required to be moved; he had been told this issue would have to be dealt with as a civil matter.

Mr Rainger said that the visibility splays for the site access did not show the extent of the hedge on his property and would not be possible without its removal, which he would not permit.

There being no questions to Mr Rainger the Acting Chairman invited Councillor Ed Jardine, representing Kettleburgh Parish Council, to address the Committee.

Councillor Jardine considered the application to be very complex for such a small site and that even a casual reader could see that the report struggled to justify the development; Councillor Jardine considered the comparison with a development in Ringsfield to be disingenuous. Councillor Jardine acknowledged that the site was allocated for development in the Local Plan but said that this provision was flawed and did not note the water course on the edge of the site or the flooding risk.

Councillor Jardine said that the Parish Council would support suitable development on the site and noted that drawings had only recently been obtained. Councillor Jardine said the proposed roof line was not in keeping with the character of the area and had been ignored in the submission and recommended that the Committee visit the site to see the issues in the area.

Councillor Jardine highlighted that drainage and sewage had not been properly accounted for and suggested that the Local Plan's requirements on flood risk would not be met, which he said was supported by two independent reviews into the issue.

The Acting Chairman invited questions to Councillor Jardine.

Councillor Jardine confirmed that the applicant had not consulted the local community on the application.

Councillor Jardine acknowledged that the field was arable land but had been used to keep horses for the last five years.

The Acting Chairman invited Mr Peter Wells, the applicant's agent, to address the Committee.

Mr Wells said that the applicant had discussed the application with officers on several occasions and amended the scheme to 16 plots as well as resolving issues with the access to the site; drainage issues identified had since been addressed in the scheme before the Committee.

Mr Wells explained that the proposal had been designed with the flood risk in mind and the surface water drainage system was a mixture of sealed below-ground crates and the attenuation basin which would provide a run-off rate of 0.8 litres per second; Mr Wells noted that the current run-off rate from the site was 3.8 litres per second and that the proposals would significantly reduce flooding downstream of the site.

Mr Wells considered that the application had been considered carefully with officers and keeping in mind the comments of the adjoining landowner regarding ownership. Mr Wells said it was confirmed that the visibility splays could be achieved within the site and land owned by the Highways Authority, and that the neighbouring hedge had grown over into the latter. Mr Wells added that documentation showed the ditch on the western boundary was in the applicant's ownership and that the applicant was happy to clear it regardless of ownership.

The Acting Chairman invited questions to Mr Wells.

Mr Wells said that consideration was given to running a local consultation, but it was reasoned this would not provide any benefit on this occasion as the site was already allocated for development.

The Acting Chairman invited Councillor Maurice Cook, Ward Member for Kettleburgh, to address the Committee.

Councillor Cook said that the local community was aware the site was allocated for development but held real concerns that the development did not fit in with the local aesthetic and whether local services could cope with the demand of 16 additional dwellings.

Councillor Cook cited policy SCLP10.4 of the Local Plan which stated there should not be development where it would adversely impact on rural river valleys, policy SCLP11.2 on privacy and overlooking in relation to residential amenity and policy SCLP7.1 on sustainable transport. Councillor Cook considered the application was not in accordance with these policies.

Councillor Cook expressed concern that the sewage system would not cope with the additional housing and that although flooding would be reduced, sewage would increase. Councillor Cook said that the existing system was already in need of an upgrade and highlighted flooding issues in 2019. Councillor Cook noted that residents previously impacted by flooding were rightly concerned about their homes being made uninhabitable through flooding as had happened in the past, which had also left raw sewage in the village and the River Deben.

Councillor Cook acknowledged the proposed mitigation but asked the Committee to consider residents' concerns and the lack of alternative transport in the area. Councillor Cook supported Kettleburgh Parish Council's suggestion that the Committee visit the site before determining the application.

There being no questions to Councillor Cook the Acting Chairman invited the Committee to debate the application that was before it.

Councillor Hedgley acknowledged the site was allocated for development but considered the application was placing an estate in the middle of a village. Councillor Hedgley was opposed to the application on design and layout issues and said at this stage he would be voting against it, noting that he remained of an open mind at this early stage of the debate.

Councillor Blundell agreed with these concerns in part, along with issues on flooding, but was unsure if a site visit would be of benefit. Councillor Blundell said he would like to see more information on the site's suitability in relation to drainage and sewage. The Planning Manager advised that the lead flood authority would have thoroughly scrutinised the information submitted by the applicant and in recommending approval suggested that the flood risk mitigation was sound, and the development would not increase risk of flooding.

Councillor Blundell considered that the design and layout of the development maximised the best use of the site and what could be developed on the frontage, and was reluctant to suggest that had to be continuous ribbon development on the site.

Councillor Bird sought clarity if the lead flood authority was satisfied that the drainage system would reduce surface water run-off from the site. The Planning Manager advised that the proposed development should not result in any additional run-off.

Councillor Yule proposed that the Committee visit the site to view the issues raised during the meeting. This was seconded by Councillor Hedgley and it was by a majority vote

RESOLVED

That the Committee visit the site to view the issues raised during the meeting.

The Acting Chairman and Planning Manager advised that a site visit date would be confirmed after the meeting.

10 DC/21/5097/FUL - 14 Wainwright Way, Kesgrave, Ipswich, IP5 2XG

The Committee received report **ES/1120** of the Head of Planning and Coastal Management, which related to planning application DC/21/5097/FUL.

The application sought permission to retain a fence which replaced a hedge and to erect a new flat roofed porch on the front of the dwelling.

As the officer recommendation to refuse the application was contrary to the recommendation of Kesgrave Town Council, the application was subject to consideration by the Planning Referral Panel on 29 March 2022 and the Panel recommended that the application be referred to the Committee for determination.

The Committee received a presentation from the Trainee Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown the proposed block plan for the site.

The Committee received photographs showing the vegetation that had been replaced by the fence and the existing fence.

The Trainee Planner displayed the proposed floor plans and elevations for the porch.

The material planning consideration and key issues were summarised as design and visual amenity.

The recommendation to refuse the application was set out.

The Acting Chairman invited questions to the officers.

Officers confirmed that the reason for refusal centred on the retention of the fence and that there were no concerns about the proposed porch; as both elements were part of a single application they could not be approved separately from each other and therefore the recommendation of refusal was for the whole application.

The Trainee Planner said the type of fence was not standard to the immediate area, noting that the area consisted of opening green spacing and minimal fencing with vegetation planted in front to soften the impact.

In response to a question on the appeal case referenced in the report, the Trainee Planner explained that although the fence in that instance had been at the front and not the rear of the property, there were similar issues in relation to positioning and planting in both cases.

The Acting Chairman invited Mrs Simpson, the applicant, to address the Committee.

Mrs Simpson explained that the vegetation that had previously marked the boundary had been difficult to maintain due to its size and had also caused a safety risk as her son and family pets would often escape through the conifers. Mrs Simpson highlighted that rubbish would also be thrown through the conifers into the garden.

Mrs Simpson said that for safety reasons the conifers had been replaced; she had considered putting a brick wall on the boundary but stated that someone from the Planning team had advised against a brick wall and had told her that a fence could be installed as it was a temporary structure and did not require planning permission. The fence was duly installed in 2019 to make things safer for Mrs Simpson's family.

Mrs Simpson said she had been surprised to receive a letter asking her to lower or remove the fence as no-one had visited the site and highlighted that when a Highways Authority representative visited, they agreed to change their position as it did not impede the view.

Mrs Simpson acknowledged that she had been advised to move the fence back one metre and add planting in front of it to soften the impact; she said this was not feasible as the family could not afford this. Mrs Simpson added that there would also need to be upkeep of planting that would only benefit the public and pointed out that opposite the fence was a large green open space with trees.

Mrs Simpson said her priority was the safety of her children and saw no problem with the fence as it was. Mrs Simpson said she was willing to paint the fence but to move it would not be feasible, noting the stress the issue had caused the family.

The Acting Chairman invited questions to Mrs Simpson.

Mrs Simpson reiterated that she would be happy to paint the fence and said that she planned to do this last year before receiving the letter to lower or remove the fence. Mrs Simpson said that lowering the fence was not a viable option as her son would be able to climb over it and escape the garden.

Mrs Simpson said there were similar fences and brick walls on garden boundaries in an adjacent street.

In response to a question on the Planning advice Mrs Simpson said she had received, the Planning Manager (Development Management) advised that this would need to be investigated.

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

Councillor Cooper noted that fences in open plan areas was increasingly becoming an issue and was of the view that the Council needed to take a definitive stance on what was allowed in such areas. In response, Councillor Bird highlighted that there were varying rules on what height of fence required planning permission dependent on its proximity to the highway, so a one size fits all approach could not be adopted.

Councillor Hedgley considered that the case was finely balanced as although he considered it should be moved back and have planting placed in front of it, he acknowledged the comments of the applicants regarding cost and safety issues.

Councillor Deacon stated that the planting removed was more unsightly than the fence that had replaced it and drew the Committee's attention to the supportive comments of Kesgrave Town Council.

Councillor Daly sympathised with the applicant but added that due regard needed to be given to the shared area outside the fence.

Councillor Blundell moved that the motion now be put and proposed the recommendation to refuse the application. This was seconded by Councillor Ashdown and by a majority vote **FAILED**.

The Committee considered an alternative recommendation to approve the application. On the proposition of Councillor Bird, seconded by Councillor Deacon it was by a majority vote

RESOLVED

That the application be **APPROVED** as giving due regard to policy SCLP11.1 (c) and (e) of the Suffolk Coastal Local Plan it was considered that the proposals, specifically the fence boundary, were in accordance with this policy.

The Committee received report **ES/1121** of the Head of Planning and Coastal Management, which related to planning application DC/22/0345/FUL.

The application sought permission for a two-storey rear extension. As the officer recommendation to refuse the application was contrary to the recommendation of Rushmere St Andrew Parish Council, the application was subject to consideration by the Planning Referral Panel on 29 March 2022 and the Panel recommended that the application be referred to the Committee for determination.

The Committee received a presentation from Energy Projects Co-ordinator, who was the case officer for the application.

The site's location was outlined, and the Committee received aerial images of the site and street view photographs demonstrating the streetscene, looking west towards the Golf Hotel pub, looking east towards Bell Lane and Martlesham, and photos looking into the front and rear of the application site.

The Committee was shown the proposed and existing block plans and elevations for the site. The Energy Projects Co-ordinator outlined a similar scheme at 702 Foxhall Road that had been approved.

The recommendation to refuse the application was set out.

The Acting Chairman invited questions to the officers.

It was confirmed that no comments had been received from neighbouring residents.

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

Councillor Newton, who was also Ward Member for the application, noted that the officer's reasons for recommending refusal related to the impact of the development on the streetscene. Councillor Newton outlined the variety of structures along Foxhall Road and highlighted the history of the area which had been developed plot by plot before the introduction of the planning system, resulting in a diverse streetscene.

Councillor Newton did not consider the impact on the streetscene to be a valid reason for refusal and asked other members of the Committee to consider if the development would have a detrimental impact on the area, noting that he supported the view of Rushmere St Andrew Parish Council that the application should be approved.

The Acting Chairman invited the Planning Manager (Development Management) to address the Committee, who advised Members that the reasons for refusal also stated that the extension by virtue of its size, scale, massing and form would not be subordinate or complimentary to the character of the original dwellinghouse and comprise an overly dominant addition.

In response to a question from Councillor Ashdown, the Energy Projects Co-ordinator confirmed that no pre-application advice was sought by the applicant.

There being no further debate the Acting Chairman sought a proposer and seconder for the recommendation to refuse the application, as set out in the report. The recommendation was proposed by Councillor Blundell, seconded by Councillor Ashdown and by a majority vote **FAILED**.

The Committee considered an alternative recommendation to approve the application. On the proposition of Councillor Bird, seconded by Councillor Newton it was by a majority vote

RESOLVED

That the application be **APPROVED** as giving due regard to policy SCLP11.1 (b) of the Suffolk Coastal Local Plan in relation to the host dwelling being neighboured by two-storey properties on either side, it was considered that the proposals were in accordance with this policy.

12 DC/22/0266/FUL - Land East of Bent Hill, Undercliff Road West, Felixstowe

The Committee received report **ES/1122** of the Head of Planning and Coastal Management, which related to planning application DC/22/0266/FUL.

The application sought full planning permission for the temporary use (one calendar year) of public recreation land for purposes associated with adjacent hospitality businesses on land adjacent Bent Hill, Undercliff Road West, Felixstowe.

In accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution, the application was before the Committee for determination as East Suffolk Council was both the applicant and the landowner.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Planner displayed an aerial photograph of the site detailing the existing use of the area by licensed premises for daytime outdoor seating. The Planner explained that the current consent would expire in May 2022 and the Council as applicant was seeking a further year of the existing use.

The Committee received photographs of the site demonstrating views of the site looking from the bottom of Bent Hill, towards the Spa Pavilion and towards Felixstowe Pier.

The Planner confirmed that the Council's Environmental Protection team had not received any complaints relating to noise or anti-social behaviour.

The Committee was informed that 13 representations of support had been made and no neutral or objecting representations had been received.

The recommendation to approve the application was set out.

The Acting Chairman invited questions to the officers.

The Planner was of the understanding that the area was well used by the neighbouring licensed premises.

In response to a question on the possibility of adding a condition limiting the time customers can use the area during trading area, officers advised that this would be controlled by the licence holders and could not be controlled through the planning system.

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

Councillor Cooper proposed moving straight to the recommendation to approve the application.

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

RESOLVED

That the application be **APPROVED** with appropriate conditions.

Conditions:

1. The hereby permitted use shall expire on the first day following one calendar year from the date of 26 May 2022, following which the land shall be reinstated to its former condition unless prior to that date planning permission is renewed.

Reason: The development is unsuitable for permanent consent by virtue of its character/impact upon the locality.

2. The development hereby permitted relates to the land identified within the submitted 'Site location plan' received by application on 21 January 2022.

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

3. The hereby approved development permits the use of the subject land for the siting of chairs, tables and parasols associated with adjacent hospitality business only. No other furniture or apparatus shall be placed or erected on the site at any time unless otherwise agreed by the Local Planning Authority.

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

4. The hereby approved development site shall at all times be maintained in a clean and tidy state as free from litter and waste.

Reason: In the interest of public health and visual amenity.

5. At no time shall there be allowed any display of recorded or live music or performances on the hereby approved development site.

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

6. The hereby approved development site shall only be open to the public for dining and drinking purposes between the hours of 09:00 and 23:00 Monday to Sunday.

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

Informatives:

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

The meeting concluded at 5.54pm

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Chairman