

Confirmed



Minutes of a Meeting of the **Planning Committee North** held Remotely on **Tuesday, 13 October 2020** at **2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

Other Members present:

Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Judy Cloke, Councillor Tony Cooper, Councillor John Fisher, Councillor Tony Goldson

Officers present:

Jamie Behling (Trainee Planner), Liz Beighton (Planning Manager - Development Management), Joe Blackmore (Principal Planner - Development Management), Sarah Carter (Democratic Services Officer), Matthew Gee (Planner - Development Management), Matt Makin (Democratic Services Officer), Phil Perkin (Principal Planner - Major Sites), Iain Robertson (Senior Planner - Development Management)

1 Apologies for Absence and Substitutions

There were no apologies for absence.

2 Declarations of Interest

Councillor Ashdown declared a Local Non-Pecuniary Interest in Item 13 - DC/20/2249/FUL - Orchard Barn, Somerleyton, as being Ward Member. As he knew the Applicant and objectors on the Parish Council, he advised that he would leave the meeting when the item was discussed and take no part in the consideration of the application or voting thereon.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Item 12 - DC18/2687/FUL - Land adjacent 53 Ranville, Carlton Colville, as being Ward Member; and Item 11 - DC/20/1352/FUL - Royal Court Hotel, Lowestoft and Item 16 - DC/20/3172/FUL - East Point Pavilion, Lowestoft, as being County Councillor for the area.

Councillor Elliott declared a Local Non-Pecuniary Interest in Items 9 and 10 - DC/20/1912/FUL and DC/1913/LBC - 3 Saltgate, Beccles, as being Ward Member.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 11 - DC/20/1352/FUL - Royal Court Hotel, Lowestoft and Item 12 - DC/20/3172/FUL - East Point Pavilion, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non-Pecuniary Interest in Item 11 - DC/20/1352/FUL - Royal Court Hotel, Lowestoft, as Chairman of the Heritage Action Zone, Item 12 - DC/18/2687/FUL - Land adjacent 53 Ranville, Carlton Colville, as being Ward Member and County Councillor for the area, and Item 16 - DC/20/3172/FUL - East Point Pavilion, Lowestoft, as being Cabinet Member for Economic Development and Assets.

Councillor Brooks and Rivett declared a Local Non-Pecuniary Interest in Item 16 - DC/20/3172/FUL - East Point Pavilion, Lowestoft, as being Cabinet Members present at the meeting when funding had been allocated for its regeneration. These declarations were made during the discussion of the item.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Ashdown, Bond, Brooks, Ceresa, Elliott, Gee, Pitchers and Rivett declared that they had been lobbied on Agenda Item 6 - DC/20/1049/VOC - Land South of Chediston Street, Halesworth. They had made no response.

Councillors Ashdown, Brooks and Ceresa declared that they had been lobbied on Agenda Items 7 and 8 - DC/19/3914/FUL and DC/19/3915/LBC - Miles Ward Court, Halesworth. They had made no response.

Councillors Ashdown and Elliott declared that they had been lobbied on Agenda Item 9 - DC/20/1922/FUL - 3 Saltgate, Beccles. They had made no response.

Councillors Ashdown and Gee declared that they had been lobbied on Agenda Item 11 - DC/20/1352/FUL - Royal Court Hotel, Lowestoft. They had made no response.

Councillors Ashdown and Elliott declared that they had been lobbied on Agenda Item 13 - DC/20/2249/FUL - Orchard Barn, Somerleyton. They had made no response.
Councillor Ceresa declared that she had been lobbied on Agenda Item 14 - DC/20/2348/FUL - Rosecroft Farm, Chediston. She had made no response.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 8 September 2020 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee received report ES/0515 which summarised the outstanding enforcement cases sanctioned under delegates powers or through the Committee up to 29 September 2020. There were currently 15 such cases. The Planning Manager advised that assessment times would be looked at prior to the next meeting.

Referring to the Minutes of the previous meeting, the Planning Manager reported that confirmation had been received from the Secretary of State that he would not be intervening in the decision on the Shadingfield Chicken Sheds. The decision notice had therefore been issued to the Applicant the previous day.

RESOLVED

That the report concerning Outstanding Enforcement matters up to 29 September 2020 be received.

6 DC/20/1049/VOC - Land South of Chediston Street, Halesworth

The Committee considered report ES/0517 which gave details of the variation of conditions 4 and 6 Highways (access and footway) of DC/17/2981/OUT, Outline Application with some matters reserved for the construction of up to 200 dwellings including car parking, open space provision, associated infrastructure and access. The application which sought to amend the access into the site from a roundabout at the junction of Roman Way/Chediston Street to a priority junction on Roman Way. The application had been deferred by the Committee at its meeting on 14 July 2020 to enable the Applicant to consider alternatives.

Members received a presentation showing an aerial view of the site location plan, photographs of the location of the approved roundabout, the proposed revised access point on Roman Way, views in both directions, and plans of the approved roundabout and the new revised access.

The Principal Planner advised that the Applicant had considered alternative access and, in accordance with the technical note appended to the report with two alternatives for consideration, none were found to be better. The Applicant had undertaken a road safety audit of the proposed junction and County Highways had no objection. In response to comments made at the July meeting of the Committee, pedestrian access had been improved with further improvements for both pedestrian and cyclists links.

The Principal Planner reminded Members that the only aspect for discussion was the proposed access and it was recommended for approval subject to a Section 106 Agreement.

The Chairman invited questions.

Members sought clarification on the views of Natural England and whether that organisation had no comment or had not commented. The Principal Planner advised that Natural England had responded and had no comments to make.

The Chairman invited the public speakers to address the Committee.

Note: *There was a brief adjournment from 2.23pm to 2.25pm due to a lost connection for the first speaker.*

As an objector, Ms C Slater advised she was speaking on behalf of a group of residents and had four points to make. Firstly, the safety for cars and users needed a controlled crossing on a hazardous road in rush hour. Secondly the new access on land owned by

the Council was unsafe compared to nearby access on Dukes Drive which offered connectivity. Thirdly, the proposed and unnecessary destruction of historic hedgerow on Chediston Street was relevant and might be agreed by default; it was important to preserve the border between town and countryside. Finally, it was questionable to use a variation for what could only be considered to be a material amendment. The change was quite significant and the developer should be required to submit a new planning application. Ms Slater suggested that Members should make a site visit a previously suggested before making any further decision.

Mr P Dutton advised he was Chairman of Halesworth Town Council's Planning Committee, and stated that the proposal was not a minor change and therefore should not be considered to be a VOC. The access being moved along Roman Way was originally considered unsuitable, that had not changed so it was still unsuitable. Looking at the fields and road splay, there were a number of issues including the fact that the road was not wide enough. The road access needed to be evaluated so as not to destroy the valuable hedgerow. The application should be refused or postponed until adequate information was available. The application should not be approved as the plans did not indicate if the proposals were safe. The road was not wide enough for large vehicles when other vehicles were waiting to cross to their destination.

Ms V Balboa advised she was the Transport Consultant for the Applicant. She had addressed the Committee at its July meeting and explained that, due to the underground tank, the proposed roundabout would not meet the County Councils requirements. Other alternative options including a mini roundabout should not be installed on the site and the junction proposed was the best alternative access for the site. County Highways confirmed that the proposal met its guidance and it supported the proposal which met relevant design standards. Ms Balboa advised that the site had been allocated in the Local Plan, met relevant criteria and was providing social housing. There were no grounds to refuse the application and she requested Members follow the officer's advice and approve the application.

As Ward Member, Councillor Goldson stated he wishes to challenge the agent's statement and the information in Appendix B and stated that the drawings should be submitted to the Highway Authority for approval. The waiting lanes capacity would not be suitable as there was not sufficient width on Roman Way. The proposal was not on land that the developer owned, information requested at the July meeting had not yet been submitted. He made further reference to the attenuation tank in 2019 and the 2018 flood risk assessment, so there was clear evidence that the developer knew about the tank on site. In addition, Anglia Water planning had confirmed the pipe to the north of the development was leading to the storage tank in 2017, so there had been knowledge for the last three years. Minutes from April 2019 showed there was a conflict with the technical advice and local knowledge. Councillor Goldson recommended that the VOC be rejected and a new planning application be submitted with honest drawings. In April 2019, a site visit had been requested; to date, that had still not happened and the Committee needed to undertake such a visit to understand the site and some of the roads which were hardly wide enough for cars to pass, let alone put in a cycle way. He requested Members to reject the application now.

The Chairman invited questions.

Members were of the opinion that some of the points raised by the speakers with regard to the extent of a VOC and the need for a factual explanation of the feasibility of a cycle way on restricted space should be clarified. It was considered that the proposed VOC would change the development significantly, whereas a VOC would normally be used for relatively minor changes. Members also expressed serious concerns over the fact that such a major issue relating to the tank could be ignored by the developers when they submitted the application for a roundabout.

The Planning Manager advised that a variation was the correct process to follow; it covered wide ranging issues to vary a planning permission including layout and appearance. The proposal here was within the scope of what the government allowed and was perfectly acceptable. The Principal Planner advised that the width of the road and dimensions had been considered by the Highway Authority; the access and right turn were adequate. The visibility splays were also adequate and County Highways had made no objections to the application.

The Applicant's Agent responded by advising that, as discussed and explained at the previous Committee meeting, they were aware that there was a tank on site but not the exact location.

Councillor Goldson responded by stating he had a copy email which proved that the developer had known about the tank in February 2017. It appeared to him that misleading and false information had been provided.

A question was raised as to whether there were grounds to refuse the application. The Planning Managers advised that Members had to consider the application before them with regard to the revised access. The position of the tank had resulted in a change to the access. What might or might not have been known was not a reason for refusal.

Whilst not wholly supporting the variation, some Members accepted there was little choice but to approve the application. The site flooded and there would be a loss of hedgerow. The proposal to approve was duly seconded.

The Chairman reminded Members that they were considering the variation application for a change of access, nothing else. He advised that having checked with the officers, he was able to confirm that the Reserved Matters application could come forward to Committee. That would take everything into consideration and have to be approved before any works commenced. A site visit could be undertaken by the Committee before considering the Reserved Matters application.

The proposer and seconder agreed to that those suggestions being incorporated in the resolution to be voted upon and it was

RESOLVED

That permission be granted, subject to the variation of the Section 106 Agreement covering affordable housing, provision and future management of open space, RAMS payment and highways and bus stop improvement, and the following conditions:

1. a) Application for approval of any reserved matters must be made before 24.05.2022 and then
- b) The development hereby permitted must be begun either before 24.05.2022 or within two years from the final approval of the reserved matters, whichever is the later date.

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

2. Details relating to the layout, scale, appearance and landscaping of the site (the "reserved matters"), and measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority before any development is commenced.

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

3. Details relating to the "reserved matters" pursuant to this planning permission shall not materially depart from the design principles and design proposals set down in the Design and Access Statement.

Reason: To secure a properly planned development.

4. The new vehicular access onto Roman Way and associated highway improvements shall be laid out and completed in all respects in accordance with Drawing Nos. 13455-SK005 Rev C and 13345-SK003; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

5. Before the access onto Roman Way is first used visibility splays shall be provided as shown on Drawing No. 13455-SK005 Rev C with an X dimension of 4.5m and a Y dimension of 70m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

6. No part of the development shall be commenced until details of the proposed access onto B1123 Chediston Street indicatively shown on Drawing No. YOR.2819_10C have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an

appropriate specification and made available for use at an appropriate time in the interests of highway safety.

7. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

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

Reason: To ensure that roads/footways are constructed to an acceptable standard.

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

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

10. The new estate road junction(s) with Chediston Street (B1123) inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

11. Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

12. Before the B1123 Chediston Street access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 215 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y

dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

13. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement shall provide details of:

- proposed hours of work
 - proposed piling methods
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding and acoustic screens
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for the recycling/disposing of waste resulting from construction works
- The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of amenity and to ensure a safe development.

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

1) A desk study and site reconnaissance, including:

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

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

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

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

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.

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

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

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

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

16. Prior to any occupation or use of the approved development the RMS approved under condition 15 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

- * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- * evidence that the RMS approved under condition 15 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.

18. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

19. No development shall take place until a Construction Environmental Management Plan to mitigate both noise and air quality impacts during the construction phase has been submitted to, and approved in writing by, the local planning authority. The construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity.

20. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy WLP8.40 of the East Suffolk Council Waveney Local Plan (2019) and the National Planning Policy Framework (2012).

21. 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 21 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 WLP8.40 of the East Suffolk Council Waveney Local Plan (2019) and the National Planning Policy Framework (2012).

22. 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 FRA and include:

1. Dimensioned plans and drawings of the surface water drainage scheme;
2. 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;
3. 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;
4. 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;
5. 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 climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
6. Topographical plans depicting all exceedance flowpaths 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;
7. Details of who will maintain each element of the surface water system for the life. The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

23. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

24. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

25. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with paragraph 3.4.2.

26. Prior to the commencement of development full details of the design of green infrastructure to provide a variety of routes of at least 2.6Km for dog walking, with connections to Rights of Way, and infrastructure such as interpretation, dog bins, and off lead areas, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to mitigate the impact of the development on designated sites.

27. The recommendations of the Preliminary Ecological Appraisal (Cotswold Wildlife Surveys, May 2017) and the great crested newt survey report (Cotswold Wildlife Surveys, May 2017) shall be implemented in full.

Reason: In the interests of the protection of wildlife and protected species.

28. Prior to the commencement of development an Ecological Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan.

Reason: In the interests of the protection of wildlife and protected species.

29. Prior to the commencement of development full details of fire hydrant provision within the site shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the adequate provision of water for fire fighting.

30. With the exception of any site clearance works, site investigation works and tree protection works no development shall take place unless a Mineral Safeguarding Assessment and Minerals Management Plan for that phase has been submitted to and approved in writing by the local planning authority in consultation with the minerals planning authority. The Mineral Safeguarding Assessment shall assess the potential for the onsite reuse of mineral resource arising from groundwork, drainage and foundation excavations in accordance with an agreed methodology. The Minerals Management Plan will identify for each phase of development the type and quantum of material to be reused on site, and the type and quantum of material to be taken off site and to where. The development shall then be carried out in accordance with the Mineral Management Plan unless otherwise agreed in writing by the local planning authority.

Reason: To assess the quantity and quality of sand and gravel resources in accordance with the Suffolk Minerals and Waste Local Plan.

31. Detailed plans of the Reserved Matters pursuant to condition 2 above shall show that 40% of the dwellings within the site will meet the requirements of part M4(2) of Part M of the Building Regulations unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.

Reason: To ensure that adequate provision is made for adaptable and accessible homes in accordance with Policy WLP8.31.

32. Detailed particulars of the Reserved Matters pursuant to condition 2 above shall include a Sustainability Statement which demonstrates how all the dwellings within the site shall achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.

Reason: To ensure new housing meets water efficiency measures in accordance with Policy WLP8.28.

33. As part of the first submission of a reserved matters application a scheme for the provision of self build/custom build dwellings within the site shall be submitted to and agreed in writing by the local planning authority. The scheme shall include:

- An area of land sufficient to accommodate at least 5% of the total number of dwellings as self build/custom build dwellings;
- Arrangements to ensure the self build /custom build plots will be adequately accessed and serviced within an agreed timescale;
- Arrangements for the marketing of the serviced self build/custom build plots for a period of not less than 12 months;
- A set of design principles for the self build/custom build dwellings and requirements for the construction of the said dwellings
- Arrangements for the development of any self build/custom not taken up after a minimum of 12 months marketing.

Reason: To ensure adequate provision of self build/custom build dwelling plots in accordance with Policy WLP8.3.

34. The approved scheme under condition 33 shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate provision of self build/custom build dwelling plots in accordance with Policy WLP8.3.

35. No open market housing shall be developed on any of the plots identified for self build/custom build dwellings by the scheme approved under condition 33 unless evidence that the plots have been marketed in accordance with the agreed marketing requirements has been submitted to and approved in writing by the local planning authority.

Reason: To ensure sufficient opportunity for the provision of self build/custom build dwelling plots in accordance with Policy WLP8.3.

7 DC/19/3914/FUL - Miles Ward Court, Market Place, Halesworth

The Chairman advised that the presentation would cover Items 7 and 8 on the Agenda but the Committee would need to vote separately on the Full application and the Application for Listed Building Consent.

The Committee considered report ES/0518 which gave details of the application submitted for the conversion of nine existing small business units into five residential units for the over 55s at Miles Ward Court in Halesworth. The site was located within the defined physical limits for Halesworth and very close to the town centre.

Members were shown a site location plan, photographs of the access into the site off Market Place, its position in the setting of the listed buildings, the internal courtyard and the buildings in question. The Principal Planner advised that the site had been quite derelict when taken over by the Applicant in 2006 and the conversion at that time had been of a high quality. The ground floor and first floor plans showed the proposal was to provide four one-bedroomed units and one two-bedroomed unit. The elevations showed minimal changes and the proposed cycle store. There would be some minor changes to the windows and glazing and the louvres would be retained to reduce any overlooking.

The Principal Planner explained the material planning considerations and key issues and particularly highlighted the fact that the site was in a sustainable location in the centre of the town whereby conversion would be considered to be acceptable. The loss of the business premises was regrettable but minimal; the site had not been allocated as an employment site in the Local Plan. Whilst there would be no off-street parking within the site, that had been mitigated by the site's sustainable location and the provision of cycle parking, both of which would encourage sustainable methods of transport. It had been accepted that there would be little outside space due to the town centre location. Following assessment, noise and ventilation would be controlled by condition. It was considered that the alterations and conversion would secure the long term future of the building which might otherwise fall into disrepair and therefore approval was being recommended.

In addressing the Listed Building Consent, the Principal Planner advised that the proposed alterations would not have any significant effect on the adjoining listed buildings and the level of harm on the heritage assets was less than substantial.

The Chairman invited questions.

Members raised questions relating to:

- Size of the cycle storage.
- If the business units had been marketed prior to the proposal to convert.
- Gradient and surfacing of the access.
- Electric charging point for mobility scooters and handrail due to the gradient of the access.
- Comment from Economic Development.
- Nearest amenity space and personal outside space.
- Suitability of properties for the over 55s including outlook and steep access.

The Principal Planner confirmed the proposed store would take up to 10 cycles, allowing two per unit. Paragraph 8.4 in the report gave details of the occupied and vacant units. In terms of planning policy, there was no requirement to market the site as it was not classed as an employment site. It would be difficult to insist on a planning condition for surfacing but the Applicant might consider a proposal if that was Members' requirement. From the photographs, it appeared there was a handrail on one side of the access into the site. Economic Development had not supported the application.

The Principal Planner further advised that the town park was around 5-10 minutes walking distance. There was a small area of outside space in the courtyard but not all the courtyard came within the application site. The type of flats being proposed would be meeting a need for smaller dwellings in Halesworth and with a higher percentage of older persons in the town, it would meet their housing need. There was no policy requirement for the dwellings to be for the over 55s; it was a proposal being put forward by the Applicant.

The Planning Manager drew attention to policy WLP8.12 and the existing employment areas on the policies map. Change of use could be resisted if a site was in an employment area, this one was not identified as that in the Local Plan. The layout and appearance were acceptable.

The Chairman invited the public speakers to address the Committee.

Ms J Moseley advised she was speaking against the application based on evidence gathered following consultation with the residents on employment and housing. It was important to create employment opportunities in the town to support the town's economic sustainability and the smaller enterprises. There was a need for business units and these small units were in short supply. The site was to be designated as business use in the Neighbourhood Plan that was currently being produced. Housing needs assessment proposed one and two-bedroomed properties for the older

population but emphasised the need for social housing and rentals. There was little demand for one-bedroomed properties and people downsizing were looking for two-bedroomed dwellings with outside space. Those with mobility problems would not find this site easy to use and might find themselves even more isolated. The Committee should note that these business spaces were needed in the town.

The Chairman invited questions.

Members sought clarification on the demand for small business units, the lack of use on this site and any legal reasons for refusal as conversion to dwellings could take place without permission. Ms Moseley explained that local agents said there was demand but the planning blight relating to occupation would result in users not looking to use these premises. The proposals for housing accessed via a very narrow one-way street with double yellow lines was far from ideal. It would not be possible for large vehicles to access with furniture deliveries or allow supermarket deliveries direct to the home.

On behalf of Halesworth Town Council, Mr P Dutton stated that Miles Ward Court had been bought as a result of grants through the Council for the purpose of providing small business units. There were several inaccuracies in the report creating a false impact on Halesworth. The Town Council was recommending refusal on many grounds including the fact that there was a shortage of business units in the town and the site was unsuitable. Economic development had recognised that there was a shortage of B1 units and this site should have been listed in the Local Plan for business use. The reason that the units were currently vacant was because it was well known that the owners wished to dispose of the site so no-one would move in. Whilst appreciating there was a shortage of one and two-bedroomed accommodation in Halesworth, the housing stock was planned to increase by over 600 dwellings in the next five years; that would meet the need. To have dwellings on this site accessed by a very steep slope would make it difficult to access the properties particularly for the elderly or physically disabled.

Members sought clarification as to one of the significant errors in the report to which Mr Dutton was referring, the ownership of the site, and why he felt the application should be refused.

Mr Dutton explained that the report stated residents would have the benefit of a secondary school and hospital – both had closed down. As for sustainable transport, there was no regular bus service to Diss or other towns and a visit to a hospital would take all day to get there. The site had been purchased by the Town Council with funding from the District Council and as the Town Council did not have the expertise to manage the site, it had been handed over to Foundation East. The application should be refused as the slope access and accommodation was inappropriate and unsuitable.

The Applicant's Agent, Mr B Elvin, explained the background to Foundation East in that it was a not for profit organisation set up for the benefit of the community. The site had been remarketed due to poor occupancy. A lot of money had been spent on renovation and conversion and with running costs, excluding staff costs and the services of Durrants, they were running at a loss and could not continue to run the premises as they stood. The purpose of the application to seek to develop accommodation for older persons had been supported as it was a sustainably located

in the town centre creating less traffic. It was possible to walk or cycle to all services in the town and the conversion would boost the supply of housing. Deliveries into the site were not a problem now and therefore would not be in the future. It had been demonstrated that the site was no good for its current use, good grounds for approving the application.

Members asked questions relating to whether the site would be sold once converted or remain in current ownership. Mr Elvin explained that they were looking to sell so that the proceeds could be put in the charity's coffers and used elsewhere. He was not expecting to make much profit.

As Ward Member, Councillor Goldson addressed the Committee and explained that the original funding had been from an EU pot. Regardless of the age of any future residents, it would be nearly impossible to drag a wheelie bin up the slope for emptying and the steep access would be no good for a disability scooter. The tenants had left as they had been told the site was to be sold. There was no sustainable transport in the town, no regular bus service, it was impossible to get to a hospital without your own transport, and no secondary school for those age 12 years or over. There were insufficient spaces now for residents under the residents' parking scheme, so car parking off-site could not be offered. Any construction jobs or materials would unlikely bring any benefit to Halesworth as most contractors would use their own workforce.

In response to a question relating to the lack of planning objections and delivery vehicles, Councillor Goldson advised that the site was not sustainable, there were no local facilities, it backed onto an area in flood zone 2 and 3 so no one would get a mortgage. From experience, he was aware that furniture had to be manhandled down the slope, access was insufficient for ambulances and supermarket food deliveries were not an option as there was no parking on the double yellow lines in front of the access arch. Small businesses using the premises, such as architects or photographers, would not have required van deliveries to access their premises. He proposed Members defer for a site visit.

The Principal Planner advised that the north west corner of the building at the rear of the site was within the flood zone. However, in reality, it was unlikely the dwellings would be subject to flooding as the floor level was higher than a flooding event.

Whilst having sympathy with the organisation and its loss of income, and the loss of business units in the town which would undoubtedly be valuable in the future, Members were of the opinion that it was not a suitable place for sustainable accommodation which could potentially provide small dark dwellings. It was considered that the proposed flat would not be suitable for the over 55s with no individual open space, but more suitable for young people as starter homes. If the business units had been marketed with over ambitious prices, then the natural progression would be towards providing residential accommodation. Members accepted that the Neighbourhood Plan was at the informative stage; a lot of work had been undertaken and they recognised that some small business premises were required. The Committee was of the opinion that the application should be refused on the grounds of sustainability, lack of bus routes, no railway station and general

unsuitability, particularly with the access slope that would be extremely slippery in bad weather.

The Planning Manager advised that using the Neighbourhood Plan was a weak ground for refusal as the Plan was at an early stage and carried little weight. The principle of change of use was a sound policy in the Local Plan. The lack of a railway station was a weak argument because the site was in the town centre and facilities could be accessed. She referred to the paragraph 91 in the NPPF which highlighted the aim to achieve healthy and safe places and, in the Local Plan, policy 8.29 access to all and policy 8.31 lifetime design. If Members were minded to go against the officer's recommendation, the principle of loss of employment use was insufficient. Reference to the Local Plan gave the strongest grounds for refusal.

The Committee supported the refusal on the relevant Local Plan policies, access and amenity, and the lack of outside space. Having received a proposal to refuse which was duly seconded, it was unanimously

RESOLVED

That the application be refused on the following grounds:

The lack of vehicular access and the very narrow and steep access into the site will make deliveries to and from the site difficult and access to services and facilities in Halesworth difficult for pedestrians and cyclists, particularly during inclement weather conditions. Due to the configuration of the site access therefore the site will not be safely or easily accessible by occupiers of the proposed dwellings contrary to Waveney Local Plan Policy WLP8.21 and Policy WLP8.29 which expects development proposals to be to be easily accessed and used by all regardless of age, mobility and disability. Furthermore the lack of any private amenity space for any of the dwellings does not demonstrate a good standard of living accommodation or high quality design. The proposal is therefore contrary to Policy WLP8.29 and paragraphs 91 and 127 of the National Planning Policy Framework.

8 DC/19/3915/LBC - Miles Ward Court, Market Place, Halesworth

The Committee considered report ES/0519 which sought Listed Building Consent for the conversion of a building comprising nine small business units into five residential units. Although the building itself was not listed the adjacent buildings fronting Market Place were listed and this building was considered to be curtilage listed.

Having considered and refused the application under Item 7 on the Agenda, it was unanimously

RESOLVED

That Listed Building Consent be refused.

Note: *The meeting was adjourned at 4.10pm and reconvened at 4.25pm.*

9 DC/20/1912/FUL - 3 Saltgate, Beccles

The Chairman advised that the presentation would cover Items 9 and 10 on the Agenda but the Committee would need to vote separately on the Full application and the Application for Listed Building Consent.

The Committee considered report ES/0520 which gave details of the application for planning permission for the change of use of an existing care home (use class C2) at Wainford House to nine residential flats (use class C3), comprising five one-bedroomed and four two-bedroomed flats.

Members received a presentation showing the site location plan and satellite image, together with photographs of the street scene, access, modern extension, wall adjoining the churchyard, and the listed gazebo which was outside the ownership of the Applicant. The proposed block plan and floor plans gave an indication of the layout of the flats and the proposed elevations showed the existing conservatory was to be removed.

The Planner outlined the material planning considerations and key issues and explained that the principle of re-development was acceptable here as the care home was due to close under the Care Quality Commission (CQC) ruling. The property would require substantial renovations to bring it up to standard due to the current situation in the care home with shared rooms, floor levels and difficulties with access. There were no relevant policies in the Local Plan relating to the retention of care homes and it was unlikely to be taken over for future use as a care home. The windows and proposed extension were considered acceptable and the proposed parking had been moved away from the gazebo. The proposal was considered to result in less than substantial harm to the listed buildings and with the site being in a sustainable location, the under provision of parking spaces had been acknowledged by the Highway Authority; the reduced level of parking would not adversely impact on highway safety. All trees would be retained. Approval was being recommended and the Listed Building Consent.

The Chairman invited questions.

Members sought clarification on the proposed parking and number of spaces, the CQC's request for modernisation, pedestrian access and the holding objection from County Highways. The Planner advised that one marked space was for 1 Puddingmoor, there was open access and one parking space was in the existing garage. Substantial improvements would be necessary if a care home was to continue to be provided on the site; the proposal before Members would be sympathetic to the building. The land providing the pedestrian access was in the same ownership. He confirmed the holding objection from County Highways had subsequently been removed; the proposal was not supported but there was no objection due to the sustainable location.

As an objector, Mr R Sword made reference to the restoration of the building, some proposals could be considered good, the façade and the boundary facing the church. However, there remained the problem with parking with only room for six cars. It was quite obvious this was insufficient parking particularly if there were visitors to the site. If cars drove in, there was insufficient space to turn round and vehicles should not reverse out into a busy road. Highways comments implied there was the possibility of providing four spaces at the rear of 1 Puddingmoor but that did not take

into account the walnut tree and the astro turf currently surrounding it would harm the tree. Note should be taken of the importance of the gazebo and the land around it, and old plans before the 1980s showed the beautiful gardens. The parking and access remained a problem.

Members sought clarification on the impact of losing care home beds due to the shortage in the town, what policies were in place to protect the provision and if the premises had been advertised in its current state.

The Principal Planner stated that the Local Plan did not contain any policies that would protect the provision of a care home. It seemed that the home was going to close in any event because of the issues surrounding the conversion of the property into accommodation that was suitable and in accordance with today's standards. Members were advised that there was no requirement to advertise the property in its current state and no policy requirement to retain the care home facility.

A Member commented that the building was providing totally unsuitable accommodation in small rooms or residents sharing rooms and access was difficult with narrow corridors. It was in fact a quality building and the proposal to convert would retain the building and stop it falling into a state of disrepair. There being no further discussion, it was

RESOLVED

That permission be granted, subject to the following conditions:

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

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

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

- Site Location Plan, 2019-08 - 0110 Rev B, received 01/07/2020
- Proposed site and floor plans, 2019-08 - 1200 Rev H, received 22/07/2020
- Proposed elevations, 2019-08 - 2101 Rev A, received 26/05/2020
- Heritage Impact Assessment, received 26/05/2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Before the development is commenced details of the areas and infrastructure for the electric vehicle charging points and powered two wheeled vehicle provision shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of highway safety and sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking where on-street parking and manoeuvring could be detrimental to highway safety. This needs to be a precommencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

4. Prior to occupation of any property hereby approved, the cycle storage as detailed on drawing; 2019-08 - 1200 Rev H, shall be installed and thereafter retained and used for no other purpose.

Reason: In the interests of highway safety and sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking where on-street parking and manoeuvring could be detrimental to highway safety. This needs to be a precommencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

5. Before the development is commenced, details of the areas to be provided for the presentation of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: In the interests of highway safety, to ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users. This needs to be a precommencement condition to coordinate the bin placements with the parking and cycle storage areas and avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Wheel washing facilities
- v. Measures to control the emission of dust and dirt during construction
- vi. Scheme for recycling/disposing of waste resulting from demolition and construction works.
- vii. Construction/working times
- viii. Details on how the existing trees on site, as shown on drawings; 2019-08 - 1200 Rev H, are to be protected for the duration of building and engineering works in the vicinity of the tree to be protected.

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

Note: *Due to technical issues, the meeting was adjourned from 4.50pm to 4.53pm.*

10 DC/20/1913/LBC - 3 Saltgate, Beccles

The Committee considered report ES/050521 which sought Listed Building Consent for the change of use of an existing care home (C2) to nine residential flats (C3) and associated works. The proposal was considered to have an acceptable impact on the Listed Building and was deemed to constitute less than substantial harm to the heritage asset. That harm was outweighed by the provision on nine flats in a highly sustainable location and safeguarded the continued use of a Listed Building. Having considered and approved the application under Item 9 on the Agenda, it was

RESOLVED

That Listed Building Consent be granted subject to the following conditions:

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

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

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

- Site Location Plan, 2019-08 - 0110 Rev B, received 01/07/2020
- Proposed site and floor plans, 2019-08 - 1200 Rev H, received 22/07/2020
- Proposed elevations, 2019-08 - 2101 Rev A, received 26/05/2020
- Heritage Impact Assessment, received 26/05/2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

- (a) Large scale timber joinery details including vertical and horizontal sections, glazing bars, glazing, ironmongery and finish.
- (b) Large scale details of the eaves, brick type, bond mortar colour and joint finish, large scale details of windows and doors including material, sections sizes glazing and finish.
- (c) Any ventilation/extractor fan grills/terminals flues and external waste pipes required as part of the works, including their location and details including appearance, material and colour
- (d) Large scale joinery details of any new doors including material, ironmongery and finish.
- (e) Details of how the kitchen is to be installed within the front main room facing

into Saltgate, including how the units are to be installed in front of the window and how will the services including the waste is to be accommodated.

Reason: The reason for the condition to be pre-commencement is in order to safeguard the special architectural or historic interest of the building.

4. All new external rainwater goods and soil pipes on the visible elevations shall be of metal, painted black.

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

5. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

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

Note: Due to technical issues, the meeting was adjourned at 4.50pm and reconvened at 4.53pm.

11 DC/20/1352/FUL - Royal Court Hotel, 146 London Road, Lowestoft

The Committee considered report ES/0522 which gave details of the application for full planning permission for the re-development and extension of the former Royal Court Hotel in order to provide 16 residential flats and a café at ground floor level.

The Principal Planner advised that the initial application has been for 29 flats, no parking and a café but that had been significantly amended and reduced in response to officer feedback. The revised scheme was supported by the Town Council and previous objections from statutory consultees had been resolved. The site was in a highly prominent location within the South Lowestoft Conservation Area and Kirkley District Shopping Centre, and the vacant building detracted from the character, appearance and vitality of the area.

Members received a presentation showing an aerial photograph, the site location plan, the building itself, street scene and views in both directions along London Road South. The proposed block plan gave in indication of the current access into the site and areas for bin storage, secure cycle storage and car parking provision providing eight spaces. The proposed floor plans gave an indication of the proposed layout, size of accommodation and outside space associated with three of the ground floor flats and roof terrace for two of the second floor flats. Historic England has no objections to the proposed elevations which would include dormer windows and roof lights.

The Principal Planner outlined the material planning considerations and key issues including:

- Change of use and Kirkley District Centre.
- Design and heritage considerations.
- Residential Amenity.
- Affordable housing and vacant building credit.
- Flood risk.
- Highways, parking and sustainable transport.
- Regeneration and public benefits.

The Principal Planner drew particular attention to the fact that the site had ceased its tourism use in 2009, since then there had been no consistent use and the property had been purchased in 2019 by the Applicant. The design would result in benefits to the site and the Conservation Area and would have no significant impact on local residents. The accommodation being provided would have natural daylight and he reminded the Committee that internal space standards were guidance only, not adopted policy. Full details relating to affordable housing and vacant building credit were as detailed in the report. Whilst in a flood risk area, the use being proposed was not more vulnerable than previous uses and tidal flood barriers were in place as identified by the Environment Agency who had no objections. County Highways had accepted the parking provision due to the site being sustainably located and conditions, if approved, included charging points and cycle storage.

It was considered that the proposed development accorded with the Development Plan and represented a sustainable form of development delivering significant public benefits. Approval was therefore being recommended.

The Chairman invited questions.

Members sought clarification on:

- Room sizes being below minimum standards.
- Removing permitted development rights on the ground floor commercial space so as to avoid future conversion into additional flats.
- Flat saturation zone.
- Adequate bin storage.
- Access for wheelie bin emptying.

The Principal Planner explained that the amended scheme showed absolute minimum floor space and the outlook and organisation of the rooms provided a reasonable standard of accommodation. Any permission granted would be strictly in accordance with the plans. Condition 8 covered the use of the café which actually removed the permitted development rights for other uses. The Principal Planner referred to the relevant policy WLP8.4 with regard to flat saturation areas but advised Members that the policy sought to limit the conversion of residential properties into flats, whereas the application site was formerly a hotel. If the hotel was used as a hotel, it could provide up to 22 bedrooms. The wheelie bins would be stored at the rear of the site adjacent to the car parking and taken to the entrance on London Road South or the Esplanade on collection days. While appreciating there would be 16 bins, the proposed

flats were only likely to create a similar level of waste generated by the previous hotel use.

The Chairman invited the public speakers to address the Committee.

As Agent, Mr I Douglass endorsed the officer's report and the recommendation for approval and asked for the Committee's support. He was pleased with the progress on the project which had resulted in a policy compliant scheme. He would be happy to answer any questions.

The Applicant, Mr S Khan, advised he was pleased with the officer's report and recommendation for approval. He had been redeveloping throughout the UK for a number of years from design through to selling and letting. His intention was to create high quality homes and help to regenerate Lowestoft. They had been working with Lowestoft Rising, the Town Council and Chamber of Commerce. Mr Khan believed in the public benefits this would bring to Lowestoft and also reduce anti-social behaviour around a run down site in the town. The site would be brought back into use, create an improved street scene and create new dwellings. Appropriate building materials would be used and they hoped to commence work soon.

Members asked questions relating to :

- Quality and 37sqm flats being the bare minimum.
- The flats being for sale or let.
- Type of tenancy to be offered.
- Viability of the café when there was plenty of café provision in the area.
- Type of café and market research.
- Insufficient parking spaces.

Mr Khan advised that the proposal and flat sizes was down to viability of the project. The scheme contained a good mix of flats in what he considered to be a high quality development. It was proposed to sell the flats, some letter of intent had been received. Failing that, the flats could be rented to the general public or let to the offshore industry on long term 12 month tenancies. Mr Khan was proposing a vegan/vegetarian café offering a basic healthy option. He confirmed that the parking spaces would be on a first come first served basis; addition parking could be allocated off-site on a nearby development of 120 spaces at The Port House if required.

As Ward Member, Councillor Byatt expressed some concern over the offer of parking spaces at The Port House 5 minutes walking distance away. It appeared there was insufficient space for 32 bins, one blue and one black for each flat. Consideration should also be given to the 37sqm minimum size of the proposed flats; one-bedroomed might be suitable for two people but what about storage for personal belongings. It seemed that people were to be squashed into small areas. There was no reference to solar panels and would local contractors be used? Whilst the town did not want rabbit hutches for living accommodation, the proposed development would regenerate the site. However, consideration should be given to the quality of life for the future residents.

Members welcomed the proposal to see the redevelopment of the building which would improve the area; however, concern was expressed on several points including overdevelopment, parking provision, insufficient bin storage and no details as to a satisfactory method for wheelie bin collection. It was considered to be a disappointing opportunity, where a high quality development could be provided. A proposal to refuse the application was duly seconded.

The Principal Planner advised that condition 4 addressed precise details relating to bin storage having to be agreed prior to works commencing. It might be possible to reduce the secure cycle storage from 40 bicycles to 22 and expand the bin storage in the area to the rear of the building. There was the potential for a bin presentation area at the front of the site where the access joined London Road South. The Principal Planner further advised Members that those matters of concern could be dealt with by the recommended planning condition and would not be grounds to refuse the application.

Mr Douglass understood the Members' legitimate concerns; however, this was a great opportunity with investment to bring the site back into use. Conditions were being imposed and they could work through some of the issues raised. There was the opportunity for private bin collection and for the storage area at the rear to be increased. To address the point made by Councillor Byatt, the building had a basement and they might be able to use that to offer storage for residents.

The Planning Manager reminded Members of the importance of the building, If the Applicant was willing to undertake further work with the officers to address issues that had been raised, Members might wish to consider a deferral and bring the application back to the next meeting of the Committee.

It was proposed and duly seconded that deferral was an option for further work to be undertaken to address room sizes, storage space, bin storage and collection possibly by a private contractor.

Mr Khan agreed they could work with the officers to come to resolve issues that had been raised and address the concerns that had been expressed.

On a procedural matter, the Democratic Services Officer explained that one proposal which had been seconded was on the table and that was to refuse the application. That motion had to be voted on first unless the proposer and seconder withdrew their proposal. With the agreement of the proposer and seconder, the proposal to refuse was withdrawn.

There being no further discussion, the proposal to defer which had been seconded was voted on and it was

RESOLVED

That, to enable further matters to be addressed by the Applicant and officers, the application be deferred and brought back to Committee at its next meeting in November 2020.

***Note:** Councillor Elliott left the meeting prior to the vote being taken at 5.42pm.*

12 DC/18/2687/FUL - Land adjacent 53 Ranville, Carlton Colville, Lowestoft

The Committee considered report ES/0523 which gave details of the planning application to construct a two-storey dwelling on the end of a terrace of seven properties on land adjacent to 53 Ranville. The Principal Planner advised that it was considered that there was sufficient space and the application was before Committee to enable the car parking situation to be fully considered.

Members were shown a site location plan and aerial view of the site, together with photographs of the terrace, existing parking, the plot on which the property was proposed to be developed and the reclaimed part of the site which was adjacent to the adjoining bank with pathway and footbridge on the far side. The existing and proposed layout and proposed elevations gave an indication of the property to be built, together with the provision of car parking spaces.

The Principal Planner drew attention to the principle of development, design and car parking arrangements, and advised that the site was located within the settlement limits of the town and was sustainably located. The design was similar to existing properties and provided adequate amenity space. It was considered that there would be adequate parking with an unusable space having been reinstated, the new dwelling being provided with two spaces and No. 53 using the communal parking. It was considered that the proposed dwelling would not cause detriment to the character and appearance of the locality or the residential amenity and was therefore being recommended for approval.

The Chairman invited questions.

Members questioned the following:

- The fact that the proposal did not meet the minimum space standard of 70sqm for the size of the dwelling and the 11.5sqm required for a bedroom had not been achieved.
- Landscaping and the retention of trees.
- If there was sufficient space necessary for cars to reverse off the proposed driveway into the communal parking area if it was full with parked cars. and there was a car parked on the turning space.
- How the communal spaces were allocated to the properties.

The Principal Planner advised that the floor area had been measured by the Agent as 69sqm which was only marginally below the recommended standard, compared to the existing properties in the terrace that provided 64sqm of living space. The two larger bedrooms were 9.5sqm and, if considered appropriate, one could be extended with the other being reduced. The embankment at the side of the site was not part of the application side and there was no reason for the trees to be removed. It might become necessary to lop the overhanging branches during construction. There should be adequate width for cars to undertake a three point turn when moving off the driveway. The communal spaces were not allocated to specific properties; the two end of terrace properties had their own spaces and the remaining six dwellings would have 1.5 spaces per dwelling in the communal area.

The Chairman invited the Applicant to address the Committee in accordance with the public speaking rules.

Mr P Underdown advised the proposal was for a new three bedroomed property with parking. They had removed the overhanging branches and cleared space at the end of the terrace which gave an allowance of 2.3m per vehicle. with nine spaces for six properties. At the end of the parking area, there should be sufficient space for a turning circle for cars to reverse into and manoeuvre satisfactorily. The new dwelling would have its own two parking spaces and not interfere with the vehicles parked in the communal area.

Members sought clarification on the loss of the two parking spaces currently available for No. 53, any right of way and the overhanging trees. Mr Underdown explained that the original parking on the side of No. 53 was extra. A right of way would be created to allow access to the rear of No. 53 for bins, etc. There would be a bin store at the side for the new dwelling. They had been in touch with the Council and Highways due to the overgrown trees and a tree surgeon had been in and maintained the trees.

Comment was made that consideration should be given to the Town Council's comments objecting to the proposal and the possible congestion that might be caused. The Council should consider holding its standards over the build area; the design of the bathroom could not be any smaller and it might be better to build a two-bedroom property on the site. The rooms were small and therefore could be considered to be overdevelopment. It was proposed that the Committee consider deferral to allow a change in design of the proposed dwelling. That was supported.

Mr Underdown explained that the dwelling was for his son who was returning from America and he would consider reducing the proposal to a two bedroomed property.

The Planning Manager advised that space standards were advisory only and not policy documents in either the Local Plan or the NPPF. Given where the country was with the Covid epidemic, it could be considered to be beneficial to have a third bedroom/study if an occupant was working from home. In future, if this application was granted, permission would not be needed for putting up or removing a stud wall. She suggested that if Members were minded to approve the application, the amended plans could be agreed in consultation with the Chairman and Vice-Chairman of the Committee.

On a procedural matter, the Democratic Services Officer explained that one proposal which had been seconded was on the table and that was to defer pending receipt of a modified plan. That motion had to be voted on first unless the proposer and seconder withdrew their proposal. With the agreement of the proposer and seconder, the proposal to defer was withdrawn.

It was then proposed and duly seconded that the application be approved subject to amended plans being received that were satisfactory and agreed in consultation with the Chairman and Vice-Chairman of the Committee. There being no further discussion, it was

RESOLVED

That, in consultation with the Chairman and Vice-Chairman of the Committee, permission be granted subject to satisfactory amended plans being received and the following conditions:

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

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

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with drawing no. 2319.18.1F received 13 October 2020, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority. NEEDS CHANGING

Reason: To secure a properly planned development.

3. The external materials to be used shall match as closely as possible in type, colour and texture those on the existing adjacent house.

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

4. The use shall not commence until the area within the site shown on 2319.18.1F for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

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

5. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures

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

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

Note: *The Committee adjourned at 6.10pm and reconvened at 6.18pm.*

13 DC/20/2249/FUL - Orchard Barn, The Street, Somerleyton, Lowestoft

Having declared an interest in Item 13 on the Agenda, Councillor Ashdown left the meeting room. The Vice-Chairman, Councillor Ceresa, took the chair.

The Committee considered report ES/0524 which gave details of the application seeking planning permission for the change of use of an existing outbuilding and extension to form a new dwelling. The site was located within the defined settlement boundary and the principle for new residential development was considered appropriate.

Members received a presentation showing the site location plan and settlement boundary, together with photographs of The Street in both directions, access to the site and within the site, the proposed block plan and visibility splays which gave adequate views. The proposed elevations and floor plan with 3D model gave an indication of the proposed dwelling.

The Planner outlined the material planning considerations and key issues, including the fact that the site was in an established residential area. The site was also in the Conservation Area but the proposal would have limited impact on that and on neighbour amenity. Although County Highways had commented on the visibility splays, the access road was low speed and had many accesses fronting the road. All trees were to be retained and there would be a RAMS contribution. It was considered that the proposal adhered to both national and local planning policy and was being recommended for approval subject to appropriate conditions. The Planner drew attention to the update sheet that had been circulated subsequent to the publication of the Agenda and which proposed an additional condition to remove permitted development rights.

Members sought clarification as to the distance between the tree shown on the plan and the roadway into the site. The Planning confirmed he would check while the meeting was progressing and report back.

The Chairman invited the public speakers to address the Committee.

Mr N Livingstone explained where he lived and was objecting to the proposal; he was the one most adversely affected. He had purchased his property from the applicant's

daughter in 2008 and acknowledged that the track was already established but that was on the back of a pottery studio in a small building. The increase to the building and high roof was close to his fence and would be physically obtrusive. The proposal was over large and unneighbourly and the track was so close to his living area, its use would interfere with their privacy. Mr Livingstone stated there were serious omissions and errors in the report to obscure objections. The Committee needed to be aware of several points. In 1993 a planning application had been refused on the plot as it was back land development and nothing had changed since then. In July 2020, the Parish Council had refused the application and in July and August the Highway Authority had also refused permission.

In response to a Member's question seeking details of one omission in the report, Mr Livingstone referred to paragraph 7.7 in the report and explained that he would be overlooked and have to contend with a high roof extending the whole length of his garden. He made further reference to the access which was unsuitable for a fire engine to gain access the proposed dwelling.

As Applicant, Mr Morris stated he would try to keep to simple facts. In his opinion in Somerleyton, there would be no detrimental and only minimal impact on the area. He just wished to live in Somerleyton in a converted building which had been in use for the last 15 years. None of the trees would be affected and none would be felled. The access had been in use over that period of time and would continue to be in use. While using the building as a studio, they had travelled to use the facility and that would not change; the proposal to live there would result in less travel. He believed the Parish Council did not reflect the views of the villagers, only the personal views of the councillors themselves. There was no conflict with the emerging Neighbourhood Plan; paragraph 7.23 encouraged the use of buildings. Mr Morris asked the Committee to endorse the recommendation and approve the application.

The Chairman invited questions.

In response to an earlier question, the Planning confirmed that the distance between the tree (previously mentioned) and the track was 3.5metres.

Members asked questions relating to:

- Distance from the road to the property for the emergency services.
- Back land development not being encouraged.
- In 1993 Parish Council views were refusal on access and adverse effect on neighbours, so what had changed.

The Planner advised that access for emergency services was a building control matter and that would be addressed at the Building Control application stage. The Planning Manger advised that there were two relevant policies in the Local Plan; design and conservation and impact on the character of the area. The policy was tight on back land development and taking a balanced judgement, the building already existed and access to it was in place. It was not affecting the street frontage, therefore, it was considered acceptable. Policy 8.33 covered residential gardens and urban infilling and policy 8.39 related to developments being of high standard. The planning balance was

for Members to weigh up. Although she could not confirm the closeness to existing properties, the 1993 application was for a more intense use proposing two dwellings.

Some Members expressed some concern over the proposal to convert the building from a studio into a permanent dwelling and how it would affect the neighbouring properties. Comment was made that the existing building was currently used and it was likely only one or two cars would be using the access. The proposed design was single storey. The Principal Planner advised Members that there had been a number of applications in other areas whereby refusal had been proposed on back land development due to access passing houses being considered as unneighbourly. However, in such cases, disturbance would be limited and any appeal would fall with the developer.

The Applicant confirmed that they hoped to create the area as a pleasant space and he was able to confirm the access was sufficient to allow builders' lorries and fire engines to access the site.

The Planning Manager reminded the Committee that someone living in the building was not a planning matter; it was the principle of use of the building, not the tenure, that was under consideration.

Approval was proposed and duly seconded. There being no further discussion, it was

RESOLVED

That permission be granted, subject to the following conditions:

Conditions:

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

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

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

- Site location plan, 02 A, received 06/08/2020
- Proposed plans, 03, received 19/06/2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. 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 ORMAS consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

- a) A desk study and site reconnaissance, including:
- a detailed appraisal of the history of the site;
 - an inspection and assessment of current site conditions;

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

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

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

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

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

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

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

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

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

5. Prior to any occupation or use of the approved development the RMS approved under condition 4 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

7. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building, structure or alteration permitted by Classes A (extensions or alterations), B (additions to the roof), C (other alterations to roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part

1, and Classes A and B (Solar equipment) of Schedule 2 Part 14 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development, protect the setting of the Conservation Area and protect the amenity of neighbouring residents.

Note: Councillor Ashdown re-joined the meeting at 6.49pm and took the Chair.

14 DC/20/2348/FUL - Rosecroft Farm, Chediston Green, Chediston, Halesworth

The Committee considered report ES/0525 which gave details of the planning application for the siting of four shepherd huts for short term holiday letting, the installation of treatment plant, provision of four parking spaces on existing hard standing and soft landscaping.

Members were shown an aerial photograph, site location plan, the boundary of the property and proposed siting of the shepherd huts. Further photographs gave views of the parking hardstanding, entrance, views across the hut field, and the elevations and floorplan of the huts. The proposal also included cutting back the hedge at the entrance to improve the visibility splay.

The Senior Planner explained the material planning considerations and key issues including the principle and the need for tourist accommodation. The access had previously served farm traffic and it was considered to have limited impact on the highways. The proposal was similar to glamping and each hut would accommodate two persons only. Lighting would be addressed by condition. It was considered that the scale of the development proposed was appropriate to the nature and setting of the site and that the road network could accommodate the volume of traffic generated by the proposal. It would not cause an unacceptable loss of amenity to nearby neighbouring properties and it was a sustainable location, near to the cycle networks and town. The Parish Council supported the proposal and there had been no neighbour objections. It was considered the proposal was in accordance with the Local Plan and the NPPF and was therefore recommended for approval.

In response to a question relating to any type and quantity of hut/caravan being positioned on the site, the Senior Planner confirmed that a condition, if the application was approved, limited the permission to four huts as proposed.

The Chairman invited the Applicant to speak.

Miss H Cambridge explained that the application was to put the shepherd huts on their land which would be operated similar to a glamping site. They were proposing a small scale, sustainable business in a tranquil and rural setting, which would allow visitors to get away from busy lives in a tranquil and peaceful setting. The shepherd huts would be low impact, could be moved and, due to the nature of the experience, such a small scale was vital. There would be no TVs or radios and no group bookings or pets. Given the seasonality of the business, there was likely to be only two cars per day. Storage for bicycles was on offer in an existing barn, adjacent to the proposed car parking. Miss Cambridge confirmed that they had been talking to Suffolk Wildlife Trust on the subject of mixed species hedgerow; that would minimise any noise for

neighbours and offer privacy for all. Her partner would be working on a second phase which would include a wilding meadow and orchard.

In response to a question, Miss Cambridge confirmed that they were proposed four units only and, at this stage, they had no plans to extend in the future.

As Ward Member, Councillor Burroughes advised that, although he lived locally, he had no personal interest. The issue had been raised by neighbours hence his reason for speaking. He wished to point out that the village had a population of around 200 people and a similar application had recently been refused due to the detrimental impact on the local setting, traffic movements and impact with no local facilities. There seemed to be no consistency if one application had been refused and this one was for approval. Lighting, noise and amplification would need to be tightly regulated and meet environmental conditions in accordance with the Local Plan. Having raised local concerns, if approval was granted, it would be important to ensure no future growth via appropriate conditions. The site used to be a pig farm and a noise condition would ensure there was minimal impact on residents who had moved to the village for tranquillity.

Miss Cambridge advised that Rosecroft Farm was their home as well as their business and they did not want such concerns to affect their home. There would be no public events or music.

The Planning Manager advised that the proposal was small scale. To address concerns over any future increase, she confirmed that would be a separate application subject to consultation and Environment Health on noise. The proposal before Members was a low level use with just four units and any permission granted could include a condition restricting amplified music.

Members agreed that was a way forward and the Chairman sought clarification from the Applicant. Miss Cambridge confirmed that was fine as they had not intended any music on their glamping site.

The Committee considered that to be a balanced approach and welcomed the attractive design. There being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the site and location plan, block plan, proposed elevations and floorplans and drawing no. DS1147P received on 22 July 2020 and the services plan received on 20 August 2020, for which permission is hereby granted or which are

subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The units herein referred to shall be occupied for tourism accommodation purposes only and shall not be occupied as a person's sole, or main place of residence. The duration of occupancy by any one person, or persons, of the units shall not exceed 56 days in total in any one calendar year. The owners/operators shall maintain an up-to-date register of the names of all occupiers of the premises, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

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

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

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

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

5. The number of units on the site shall be limited to four.

Reason: In the interest of the amenity of the surrounding area.

6. Before the access is first used visibility splays shall be provided as shown on the 'Visibility Splay' drawing received 28 August 2020; and thereafter retained in the specified form. Notwithstanding the provisions of Part 2, Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter

the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

7. Prior to first use of the site full details of the indicative planting plan shown on the approved block plan shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme. The landscaping scheme shall be completed within the first available planting season following first use of the site. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

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

8. Details of secure and covered cycle storage shall be provided to and agreed in writing by the Local Planning Authority. The facilities as approved shall be provided prior to first occupation of the units and shall be retained thereafter.

Reason: To encourage people to travel using non-car modes.

9. Prior to first use of the site a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The units shall then be managed in accordance with the approved details.

Reason: In the interest of the amenities of occupiers of nearby residential properties.

10. No amplified or other music shall be played on the site at any time which is audible outside of the shepherd hut units.

Reason: Where the residential amenity of the surrounding area requires protection by minimising disturbance by noise.

15 DC/20/3084/FUL - 24 St Marys Street, Bungay

The Committee considered report ES/0526 which sought planning permission for the construction of a single storey residential dwelling, with domestic store and re-arrangement of parking facilities on land adjacent to 24 St Marys Street and to the rear of properties 18 to 20. The site was located within the town settlement boundary, in a sensitive location within the Bungay Conservation area. Properties 24 to 28 St Marys Street and Castle Arches were within the ownership of the Applicant and the proposed development site had been formed by acquiring land associated with those properties, with access through a public car park owned by the Council. The application was before Committee as land within the application site was owned by the Council.

Members received a presentation which gave details of the site location plan with aerial view, the existing parking arrangements, the land forming the site, and the proposed block plan, floor plan and elevations.

The Senior Planner referred to a previous application that had been refused in October 2019 and showed the elevations, block plan and floor plan as a comparison and which showed a smaller footprint. Whilst the site was in a sustainable location, the Committee needed to consider the heritage impact of the proposal adjacent to listed buildings, in the Conservation Area. It was considered to cause harm with the introduction of a modern bungalow in an area that was historically characterised by rear yard areas. As a result, the application was being recommended for refusal. In addition, the access would conflict with the manoeuvring of cars. Although there would be some impact on the residential amenity in terms of overlooking from neighbours, the level of this impact would be acceptable in this urban area.

A Member questioned the previous application that had been refused for a smaller property and asked if the Applicant had been closely working with the relevant officer. The Senior Planner confirmed that there had been no pre-application discussions. Several applications had previously been received and refused, one of which had been appealed and dismissed by the Planning Inspectorate. Full details of the planning history of the site were set out in paragraphs 3.3 and 3.4 of the report.

The Chairman invited the public speaker to address the Committee. Whilst speaking, a revised scheme was shown to Members which had been received as a late submission.

Mr J Putman explained he was agent for the Applicant and was reluctant to say he was disappointed in the Committee report which was contradictory and illogical. He particularly referred to paragraph 7.8 in the report whereby the wings on the proposed dwelling reflected a traditional form of development and paragraph 9.1 relating to the intrusive feature. He had consulted the Council's Conservation Officer who advised the design might be acceptable when it was reduced and he had agreed it was most unobtrusive being only visible from within the plot. The site location plan demonstrated the many developments around the site including the Coopers site which was inappropriate as were other ugly buildings. Mr Putman was of the view that the revised scheme demonstrated other objections could be resolved but he understood that could not be considered due to timing. That proposal with acceptable revisions could be approved and he Committee might wish to defer following advice from officers. The proposal enhanced the area and, under paragraph 16 in the NPPF, the Government wanted new housing and this was providing that.

Members were familiar with applications on the site and agreed that the proposal looked large and incongruous in the Conservation Area. Further noting the issues with the public car park, Members unanimously supported the officer's recommendation for refusal and

RESOLVED

That planning permission be refused for the following reason:

1. The proposal is to construct a single storey property in a backland location to the rear of properties fronting on to St. Marys Road. The property would be sustainably located in terms of access to services and facilities within Bungay Town Centre but would be situated in an area of heritage significance within the setting of several listed buildings, within the Bungay Conservation Area.

The proposal for a dwelling in this location, particularly of this form and footprint, would appear as a discordant and intrusive feature and would fail to respect the historic grain of this area which is characterised by long narrow rear 'yard' areas to the frontage properties with associated ancillary buildings, where they occurred. The proposed dwelling does not meet the requirements of the NPPF and Local Plan WLP8.29 in terms of high-quality design and fails to integrate into the surrounding built and historic environment required by policy WLP8.33. It would provide a cramped form of development which fails to give regard to the character, form and pattern of development in the surrounding area.

The application would have a negative impact on the setting of several Listed buildings, by causing harm to their significance by introducing an alien form of development within this sensitive location. The proposal also fails to preserve or enhance the Bungay Conservation Area. The harm would be less than substantial in terms of paragraph 196 of the NPPF but a moderate to high level on this spectrum. The public benefit of the proposal would not outweigh this harm.

The proposal would therefore be contrary to the objectives of East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019) Policies: WLP8.33 - "Residential Gardens and Urban Infilling", WLP8.29 - "Design", WLP8.37 - "Historic Environment" and WLP8.39 - "Conservation Areas"; section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and section 16 of the NPPF.

16 DC/20/3175/FUL - East Point Pavilion, Royal Plain, Lowestoft

The Committee considered report ES/0527 which gave details of the application for minor alterations and extension to east Point Pavilion in Lowestoft. The works included an internal strip out/reconfiguration of interiors, insertion of sliding folding doors, infill extensions, new door to WC block, proposed louvres and vents and proposed signage.

The application was before Committee as the Applicant was the Council.

Members were shown site location plan, photographs of the building, the proposed elevations with new doors and minor fenestration changes and the proposed floor plan.

The Principal Planner advised that an amount of Government funding via the Towns Fund has been allocated by Cabinet for the regeneration of East Point Pavilion. Taking into account the design and heritage considerations and the public benefit of the proposals, the application was being recommended for approval.

At this point in the meeting, Councillors Brooks and Rivett declared that, as Cabinet Members, they had been present at the meeting when the funding had been allocated by Cabinet.

A Member commented on the fact that, previously, the building had been too hot in summer and too cold in winter and would that be addressed as part of the renovation works. The Principal Planner advised that he had not been aware of issues associated

with temperature; however, it should be noted that this application was for minor works, the first of several applications.

As Ward Member, Councillor Byatt wished to congratulate the Head of Operations and his Team on the proposal for the building and he hoped the application would not be turned down. He further commented on the WCs and was not particularly keen on the colour of the design.

Members welcomed the proposal and there being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers PL-200, PL-100, PL-002 and EX-001.

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

17 DC/20/2327/FUL - Beech Tree Farm, East Green, Kelsale Cum Carlton

The Committee considered report ES/0528 which sought permission to extend an existing barn sideways and erect a shed that would connect the two existing parallel barns on the site for the storage of hay and farm equipment at Beech Tree Farm, Kelsale Cum Carlton. The application was before the Committee as the Applicant was related to a member of staff.

Members were shown the site location plan, an aerial view and existing block plan together with photographs of the site and existing barns, the proposed floor plans, 3D model and elevations.

The Planner explained the application would extend barn one sideways infilling part of the space between the two barns in a lean to form, following the pitch of the existing roof and using matching materials. It was also proposed position an open shed across the back of the two barns connecting them in a U form. The principle was satisfactory and the proposal complied with policy. With no objections from the Parish Council or any statutory consultees, approval was being recommended.

Councillor Burroughes, as Ward Member, advised that he had no concerns over the proposal which was supported by the Parish Council.

Members agreed to approve the application in accordance with the report and there being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan received 26/06/2020 and Proposed Plans received 07/07/2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The hereby permitted building(s) shall only be used for agricultural purposes, and for no other uses (including any other order specified in the Use Classes Order and/or any other use which maybe permitted through The Town and Country Planning (General Permitted Development) (England) Order 2015, or any orders revoking or redacting those Orders).

Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment, as this building is located in the countryside.

The meeting concluded at 7.39pm.

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Chairman