

Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 8 February 2022 at 2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor David Beavan, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers

Other Members present:

Councillor Stephen Burroughes, Councillor Alison Cackett, Councillor Tony Goldson, Councillor Frank Mortimer, Councillor Trish Mortimer, Councillor David Ritchie

Officers present: Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Danielle Miller (Senior Planner), Philip Ridley (Head of Planning and Coastal Management), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Brook, Ceresa and Rivett.

Councillors Goldson, Burroughes, and Cackett attending the meeting as Substitutes respectively.

2 Declarations of Interest

Councillor Beavan declared a Local Non-Pecuniary Interest in Item 8 – DC/21/5052/VOC – 1 Station Road, Southwold. He advised that he would take no part in the discussion or voting thereon but would be speaking as Ward Member.

Councillor Coulam declared a Local Non-Pecuniary Interest in Item 9 – DC/21/5574/LBC – Jubilee Bridge, Lowestoft, as being Ward Member.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Burroughes declared that he had ben lobbied on Item 7 – DC/21/3894/OUT – Land to the rear of 1 Culcott Close, Yoxford, in the form of contact by the parishioners.

Councillor Cackett declared that she had been lobbied on Item 6 – DC/21/2679/FUL – Land to the North of Chapel Road, Wrentham. He had made no response.

Councillor Goldson declared that he had been lobbied on Item 6 – DC/21/2679/FUL – Land to the North of Chapel Road, Wrentham. He had made no response.

4(a) Minutes - 14.12.21

RESOLVED

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

4(b) Minutes - 11.1.22

RESOLVED

Subject to “It was confirmed that that temporary accommodation would be provided until phase 2 had been built, when it was intended to provide a sports hall, gym and changing rooms.” being added to the 5th paragraph on page 49, the Minutes of the meeting held on 11 January 2022 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee received report ES/01041 which summarised outstanding enforcement cases for East Suffolk Council sanctioned under delegated powers or through the Committee up to 20 January 2022. There were currently nine such cases.

In response to a request from the Chairman, the Assistant Enforcement Officer provided an update with regard to Pine Lodge, Hinton and Land adjacent to Oak Spring, Darsham and confirmed that the cases were progressing with the Legal Team who were in discussions with Counsel. She was unable to discuss further due to legal privilege.

In addition, the Top Street, Martlesham, case had gone to court on 1 February where they had pleaded guilty resulting in fines, costs and victim surcharge payments totalling £9,130. Another officer visit would be taking place soon to ensure all clearance had been completed. The Planning Manager thanked the Enforcement Team on achieving this end result.

The Assistant Enforcement Officer also advised that a Section 215 notice had just been served at 28 Brick Kiln Avenue, Beccles, and that case could appear next month.

The Planning Manager advised that the North Denes, Lowestoft, site remained under consideration by the Council and further advice was being sought with regard to the failure to comply with the enforcement notice.

RESOLVED

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

6 DC/21/2679/FUL - Land to the North of Chapel Road, Wrentham

The Committee considered report ES/1042 which gave details of the application seeking full planning permission for a development of 65 dwellings, comprising both one and two storey properties, including landscaped open space, recreation space with an equipped play area for public use, fully integrated SUDs and other associated infrastructure, on land off Chapel Road, Wrentham.

Members received a presentation showing the site location plan, aerial photograph, rights of way, policy considerations, photographs of street views including the Chapel Road frontage and Chatten Close, views across the site and the surrounding area, and the existing infiltration basin which had been provided for Chatten Close. The Senior Planner commented on the proposed block plan, floor plans and elevations of the different house types, visualisations of the external and internal site elevations and the proposed new hedging on the northern boundary which would act as a buffer. The Senior Planner explained the surface water drainage, landscaping of the site, proposed footpath connection and highway improvements which would include a village sign on the B1127 Chapel Road.

The Senior Planner advised that the Parish Council had required an increase in the layby; that had been discussed with the developer but the Highway Authority advised it was not viable. The solution shown would result in the road being widened to 5.5m. The village sign was to be erected to address local concerns over the speed of traffic entering the village. In addressing the material planning considerations and key issues, the Senior Planner advised that the site was allocated in the Local Plan and out of the total of 65 dwellings based on 22 dwellings per hectare, 20 would be affordable homes. There would be financial contributions in the form of RAMs and CIL. It was considered to represent a sustainable development and authority to approve was being sought subject to the completion of a Section 106 Agreement. If that was not completed within six months of approval being granted, authority to refuse the application was being sought.

Members questioned:

- The widening of the highway and if it was adequate for children's safety.
- The provision of a layby providing better visibility on the large area of vacant land opposite the proposed development.
- A reconfiguration of the junction of Chapel Road and the A12 which was already a risky crossing.
- The safety of the pond close to the site.
- If preference would be given to those with a local connection for the affordable housing.
- If the Council or a Housing Association would take on responsibility for the affordable

housing.

The Senior Planner confirmed that the developer would pay for the works to the highway and it was the opinion of the Highway authority that a layby was not necessary because if the bus stopped on the road, that itself would slow the traffic. Road improvements where Chapel Road joined the A12 were not part of the application. The existing pond was not part of the development site but additional fencing could be conditioned to provide extra safety for children.

The Planning Manager confirmed that the proposal had been discussed with the Parish Council prior to the application being submitted and the area of land Members were proposing for a bus layby was outside of the development site. It was not a typical provision for a developer to provide for school buses, therefore, the proposal was to widen the highway. The site had been allocated in the Local Plan and that allocation had not requested highway improvements. The affordable housing would be made available for those with a local connection and if applicants did not come forward, then the dwellings could be offered to a wider field of applicants. The affordable properties would be subject to bids from housing providers.

The Chairman invited the public speakers to address the Committee.

On behalf of the Parish Council, Cllr I Watson was also representing the people of Wrentham. Referring to the bus shelter and pull in, the Local Plan policy WLP8.21 stated that developments should encourage non-car travel to school and made reference to the cycling strategy. However, Wrentham had no schools and it was too far to walk to school. A large proportion of children used Chapel Road which was a narrow country lane and buses already had to mount the verge to pass. The issue would be made worse by the proposed development which would result in a 13% increase in dwellings in Wrentham. With the narrow road and increase in traffic, there were child safety concerns. The Parish Council had held four public meetings attended by villagers and the developers and whilst some issues had been resolved, it was still their view that there needed to be a bus pull-in. The Council's policies encouraged children to use public transport for school and money should not be a problem in providing suitable bus pull-in.

Members raised questions relating to the land on Bonsey Gardens that could be owned by the Council and its use for a lay-by, and the number of children using the school buses. Cllr Watson advised that an area of land had been passed over to Wrentham. He was unable to provide numbers of children currently leaving the village to go to school; there were several buses as children were transported to several different schools. The road was very busy particularly with buses and car drop-offs and if children cycled to get a bus, there was nowhere to leave their bikes.

The applicant's agent, Mr M Nolan, addressed the Committee in support of the application. The site had been allocated in the Local Plan and would provide 65 much needed homes in a landscaped setting with play equipment for the whole village. There had been extensive public consultation, concerns had been addressed with the exception of the bus lay-by. Mr Nolan advised that the Highway experts had said it was not appropriate to have a lay-by because it would create a blind spot and make the situation worse, hence the reason for widening the road and providing a

crossing that would link to existing foot paths. It was considered that the development was attractive and inclusive and the affordable housing would go to the Council's housing stock. The existing attenuation pond was not part of the application site and he would seek agreement from his client to replace the existing fences and provide life rings. Mr Nolan requested Members to support the application.

In response to questions relating to the provision of a lay-by if land was available, Mr Nolan advised that part of the land in question was in the Council's ownership, part of it was Highways and some of the land was under private ownership. If a lay-by was created and it was used to car parking, that could create potential hazards. He believed that there had been no recorded incidents of accidents either by Chatten Close or by the fire station. With regard to disability access of the properties, Mr Nolan confirmed that all houses needed to be built with level thresholds under the current Building Regulations and some properties would be wheelchair accessible. The proposed attenuation lagoons on the development site were shallow being 1 in 3 and extreme rain would be needed to fill them. Fencing around the play area was to be provided to prevent anyone running out into the road.

The Planning Manager clarified that Members needed to be informed by the evidence and comments provided by the Highway Authority and it was not generally expected that a dedicated layby for school buses would be provided. The request for a layby was not feasible at this time but it could be a future consideration via CIL funding. A considerable amount of work had been undertaken with Highways and the applicant to ensure a good all round design.

Members expressed their concerns over child safety and the lack of shelter too. Whilst the developer and Parish Council had been working together, it was felt that the provision of a layby should be explored in the future and also the pedestrian access to the A12. It was disappointing that there was no school in Wrentham and this estate was being built with no facilities in the village. Following the withdrawal of a proposal for deferral, the Committee sought confirmation that discussions would take place in order to facilitate the provision of a bus stop. The Planning Manager confirmed that they would work with Highways and the Parish Council to see what future provision could be considered for the wider village of Wrentham. The Chairman asked that this be noted as an informative.

Following a proposal for approval which was duly seconded, it was

RESOLVED

That authority to approve be granted, subject to conditions (including but not limited to those summarised in section 10 of the report); and subject to the completion of a S106 Legal Agreement within six months to secure obligations (including but not limited to):

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

Or, in the event of failure to complete the S106 within six months of the date of the Committee Meeting, authority to refuse the application be given.

Conditions

-
- 1. Three-year time limit.
- 2. Standard plans/drawings compliance.
- 3. Details of all external materials to be agreed prior to commencement.
- 4. New access laid out in accordance with approved plan and retained.
- 5. Details of means to prevent the discharge of surface water onto Highway prior to commencement.
- 6. Max gradient of Access compliance.
- 7. All parking and manoeuvring to be provided prior to use.
- 8. Clear visibility provided prior to use of access.
- 9. Details of electric vehicle charging points to be approved prior to commencement.
- 10. Details of cycle storage to be agreed prior to completion.
- 11. Submission of a construction management plan prior to commencement.
- 12. Highway improvements to be carried out prior to occupation.
- 13. Village sign to erected prior to occupation.
- 14. Cycle and pedestrian crossing carried out prior to occupation.
- 15. Details of estate roads and footpath to be submitted prior to commencement.
- 16. Footpaths to be secured prior to occupation.
- 17. New estate junction formed prior to other works being carried out compliance.
- 18. Residents Travel Pack (RTP) shall be provided to residents within one month of occupation.
- 19. Details for the disposal of surface water submitted prior to commencement.
- 20. Details of the implementation, maintenance and management of the strategy for the disposal of surface water prior to commencement.
- 21. Submission of surface water drainage verification report with 28 days of completion.
- 22. Details of a Construction Surface Water Management Plan (CSWMP) prior to commencement.
- 23. Unexpected contamination.
- 24. Submission of programme of archaeological works prior to commencement.
- 25. Post investigation archaeological works prior to occupation.
- 26. Landscaping scheme to be completed in the first planting season from the completion of the last building shell.
- 27. Details of a management and maintenance plan for the Open space prior to occupation.
- 28. Details meeting Part M Requirements submitted prior to commencement.
- 29. Development undertaking in accordance with ecological avoidance, mitigation, compensation and enhancement measures compliance.
- 30. No removal of hedgerows trees etc between 1st March and 31 August.
- 31. Submission of a lighting strategy for biodiversity prior to work above slab level.
- 32. Submission of landscape and ecological management plan prior to occupation.
- 33. Submission of Ecological Enhancement Strategy prior to work above slab level.
- 34. Details of fire hydrants prior to occupation.
- 35. Details of play equipment prior to occupation.

The Committee considered report ES/1043 which gave details of the outline application (Some Matters Reserved) for up to five dwellings including means of access on land to the rear of 1 Culcott Close, Yoxford. The application was before Committee as the Council was the landowner of a small section of verge which ran adjacent to the proposed access and there had been a number of objections. Work had been undertaken along that verge without the Council's consent and the landowner had been notified under the relevant certificates.

Members received a presentation showing the site, aerial plan, land in the Council's ownership, the Yoxford Policy Map showing settlement boundaries and key policies, access into Culcott Close from the A12 and access into the proposed development site. The Planning Manager confirmed that the proposed access was to be improved and surfaced and the current barns on site would be demolished. Further photographs across the site showed its context and elevation, and indicative proposed block plan and elevations were displayed along with the proposed vehicular access.

The Planning Manager referred to the material planning considerations and key issues, explaining that the proposal was unacceptable in the countryside, the site had not been allocated in the Local Plan, it was back land development in an unsustainable location and there were conflicts with the public right of way. There were additional concerns relating to overlooking and residential amenity and the recommendation was for refusal.

Members raised questions relating to the application being before Committee and how a piece of land owned by the Council could be annexed with trees and shrubs removed and fencing erected. The Planning Manager confirmed the application had to be considered by the Committee because of the land that was owned by the Council. The diversion of the footpath would face action by the relevant authority and the Council might need to take action with regard to its own land. Planning regulations did not stop a person making an application on third party land.

The Chairman invited the public speakers to address the Committee.

Mr C Claydon spoke as an objector, representing himself, residents and neighbours whose properties would be affected. He referred to their previous objections and also the Parish Council would be speaking having agreed with the objections on outlook, amenity, traffic and the site being outside of the Local Plan. Mr Claydon confirmed that the site was not gap filling, it did not fit the criteria in the Local Plan and the back land development was inappropriate. The proposed development would not only impact on their properties but also Rookery Park and the Conservation Area. The proposed planting to mitigate the impact on privacy would in fact impact on both daylight and sunlight. The whole proposal would have a negative impact on the surrounding area. The site had been removed from the Strategic Housing and Economic Land Availability Assessment because of issues associated with the development. The traffic assessment was inaccurate and the proposed access would be insufficient for two lanes of traffic and safe use of the right of way. Mr Claydon urged the Committee to refuse the application.

Cllr P Ashton spoke on behalf of the Parish Council confirming that the Council

supported the residents and objected to the application for similar reasons. The proposal was outside the development boundary, in the countryside and therefore against the Local Plan. Any additional benefit of the housing would not outweigh the disadvantages and the proposed screening would be overbearing. Cllr Ashton expressed concerns that the Council's land that had been maintained had now had the hedge removed, a fence erected on that land, and the footpath had been diverted without permission. For all the reasons given, the application should be refused and the applicant should be required to make good, with works to restore the hedge and the route of the footpath and remove the fencing.

In response to a question relating to the footpath issue having been raised with the County Council, the Planning Manager advised that the right of way could be subsumed into the access as long as it could still be used for that purpose. It would be for Suffolk County Council to make its own investigations.

The Applicant's agent, Mr J Rankin, confirmed that the proposal was for five dwellings and access with all matters reserved. The site was in a sustainable location and had previously been assessed by the Council for 15 dwellings in 2019. Whilst that had been dismissed due to access, the proposed development had been rationalised and was supported by a design statement providing a clear route to approval. The nature of the documents submitted should be supported and no statutory objections had been received. The reasons for refusal were flawed and could be overcome at appeal. Any issues over residential amenity would be solved at the reserved matters stage. Mr Rankin advised that the site was a sustainable location and focused growth in the village of Yoxford supporting the Council's housing target. The application should be approved.

In response to a Member's question as to why the application was being pursued as it was outside the 30 year Local Plan and involved land that was not in the applicant's ownership, Mr Rankin advised that it was a reasonable application to come forward and, whilst outside the plan, it was considered to be acceptable. Mr Rankin believed there was some confusion over the right of way as there had been no re-alignment of the definitive route. He understood that the works had been undertaken by East Suffolk Norse and had freed up space which would benefit both the applicant and the area.

As Ward Member Councillor Burroughes welcomed the officer's report which spoke for itself. The vehicle access had not been thought out and the removal of the hedge and erection of a fence without due authority was unacceptable. The site was not in the criteria specified in SCLP policy 5.4 nor in National Planning Policy. The village of Yoxford had character and history and this site for housing was unsustainable. The report was for refusal and Councillor Burroughes confirmed he supported refusal.

The Planning Manager advised that whilst the Strategic Housing Land and Employment Availability supported the Local Plan, it was an academic exercise and then sites were filtered out as the Council identified the most suitable development sites to be allocated.

Members supported the officer's recommendation and on a proposal to refuse, which was duly seconded, it was

RESOLVED

That planning permission be refused for the following reasons:

1. This application seeks outline planning permission, with only access to be considered for the erection of up to five dwellings on land to the rear of 1 Cullcott Close, Yoxford, IP17 3GZ. The site is located outside of the Settlement Boundary for Yoxford and is therefore considered to be in the countryside for planning purposes, where new housing development will only be permitted where it is supported by policies within the Local Plan or where it is considered necessary in the countryside. Having assessed the application against the adopted plan policies the principle of development is considered to be contrary to SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4. The principle of development has not been found acceptable in this instance due to the clear conflict with the Local Plan. This policy conflict, in addition to those detailed matters of concern set out in refusal reasons two and three, far outweighs any limited benefits that the development would provide.

2. The application site is comprised of an area of approximately 0.95ha which is currently paddock land (including stables, an all weather riding arena, workshop and ancillary outbuildings) associated with no. 1 Cullcott Close. The site includes a number of trees, noted on the topographical survey plan (LDA-227-01B). Existing trees in excess of those shown on the topographical plan are shown on the indicative site layout plan so in this respect there is no clarity as to exactly what trees are on site, which are included for retention, and what condition they are in. Without any form of tree survey or arboricultural impact assessment which is to a BS5837:2012 Trees in Relation to Design, Demolition and Construction standard, it is considered that the potential tree impacts of the development cannot be fully assessed. Although indicative, the layout is likely to be relatively fixed, due to the fundamental layout principles established by the detailed proposed access arrangements. The indicative layout outlines that up to five dwellings would be erected in a backland form of development that is out of character with the area. The development would inevitably result in an inward-looking development which has poor connectivity with the existing development form, contrary to SCLP11.1.

3. The proposed development would be detrimental to the amenity of existing and future residents. Due to the changes in levels between the application site and Culcott Close/A12 the new dwellings, although indicated to be single-storey, would be overbearing and dominating to the adjoining development. This would also result in the loss of privacy, outlook and potentially loss of light to the existing dwellings adjacent to the western boundary of the site. There would also be an increase in noise from the development post construction, whilst this will predominately be noise expected from a residential development, due to the location of the access, adjacent to 1 Cullcott Close, which will run behind the existing cul-de-sac, noise from car movements may also impact amenity of existing residents. It is therefore considered that the development would be detrimental to the amenity of existing and future residents. The scheme is therefore contrary to the NPPF, and Local Plan Policy SCLP11.2 which seek to resist backland development proposals which would detrimentally affect residential amenity.

Informatives:

1. *The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.*

Note: *At 3.45pm, Councillor Beavan left the meeting table and remained in the public gallery for Item 8. He would be speaking on the application as Ward Member but took no part in the discussions or voting thereon.*

8 DC/21/5052/VOC - 1 Station Road, Southwold

The Committee considered report ES/1044 relating to an application that sought to vary conditions 2 and 4 of planning consent DC/18/2406/FUL which granted planning permission for the demolition of existing buildings on the site and for a re-development consisting of flexible office space, retail unit and residential accommodation on land at the junction of Station Road and Blyth Road. The site was within Southwold's Conservation Area and within the settlement boundary of the town. The Senior Planner advised the Committee of an amendment to the report in paragraph 9.2 in the last sentence, where the word 'residential' should be omitted.

Members received a presentation showing the site location and aerial view, including the new car park nearby which was nearing completion, together with a photograph of the original buildings which had now been demolished. Layout plans and artist's impression of the consented scheme and proposed development were displayed. The residential outlook would be improved, the building at the rear was to be single storey, the external staircase would be covered and dormers replaced with rooflights, the café had been omitted and replaced with additional offices and the internal courtyard was being retained along with the two entrances. Roof and fenestration changes were being proposed.

The Senior Planner advised that in considering a Section 73 application, the consideration was limited to the matters subject of the relevant conditions and it was considered that the proposal did not affect the original intention. Changes allowed the site to be used for construction vehicles and the parking would need to be completed before first occupation. The variation was being recommended for approval.

In response to Members' questions, the Senior Planner confirmed that the reasons for the changes since the original application to now were set out in detail in paragraphs 3.3 to 3.6 of her report. The changes would allow the scheme to be more viable and create more office space. Parking on the site would be ready in advance of occupation of the buildings.

The Chairman invited the public speakers to address the Committee.

On behalf of the Town Council, Cllr J Jeans was accompanied by other Town Councillors and the Architect. As a Town Council, they had planned to develop the site for some 20 years and East Suffolk Council were behind the project which had received Coastal Funding. Cllr Jeans referred to the Business Plan and Design and explained the

reasoning behind the changes. Having obtained consent, the Town Council had commissioned an employment consultant to review the business provision post-Covid and that had identified the fact that employment space was in demand for micro-businesses and the reduction in flats from two to one and the removal of the café was to make the scheme work. Design changes related to those issues and would reduce the costs of works.

Members asked questions relating to:

- If the population in Southwold was 840, where would the businesses come from?
- Whilst the town was attractive for holidays, there was limited forms of business, so how many people had expressed an interest in having a business unit in Southwold.

Cllr Jeans acknowledged the older population in Southwold and this proposal would help make the community viable. Employment in the town provided jobs for people travelling from Great Yarmouth, Lowestoft, Beccles and Norwich and there was also a very good nursery and primary school in the town. What they were proposing as an enterprise hub complied with the East Suffolk Strategy and there was demand as the Southwold and Reydon business centres were now full.

Mr D Ray, the applicant's agent and architect, advised that the proposal was to vary two conditions of a fully consented scheme. The car parking numbers were not being varied and EV charging points were being provided in the nearby car park. The proposed tenancies had flexible partitions so that the accommodation could suit market demand. The proposed shared reception and services would allow interaction between businesses. The proposed desk layouts were in accordance with the Work Space Regulations and the overall space had not increased but would provide more flexible accommodation. Even with the reduction of one flat, the material changes were minimal.

Members questioned:

- The removal of the café which should make it more viable
- Attracting minor businesses to Southwold with offices only or artisan work spaces

Cllr Jeans confirmed that the minimal amount of lettable space was to make the proposal viable. The Town Council would not wish to undermine existing businesses or coffee shops and it was hoped that users of the accommodation would support other businesses in the town. Mr Ray advised that within the building coffee and tea would be provided in a communal space for the tenants so they could get to know each other. The initial proposal would be mainly for office accommodation but depending on feasibility in the future, the spaces could be reverted to workshop units.

As Ward Member, Councillor Beavan advised that he supported the overall aims of bringing more businesses into the town all year round but could not support the proposal as it stood and a survey indicated that 394 were opposed to the development. The change of mixed use under consideration was not market driven; no-one had signed up to run the hub and no-one had come forward to rent space. The empty offices at Reydon Business Park had now been converted showing there was no demand for offices. There was demand for workshops and housing. The proposal

would cram offices into less space and charge premium rents. Car parking would also be an issue with 90 workers on site and 30 at the hospital site with 10 spaces being provided here and 20 at the former hospital site. Anyone using the proposed facilities would come from outside the area and therefore have to drive into the town. There was still no Business Plan and a 2% return was insufficient and therefore the proposal was likely to fail. Councillor Beavan agreed there was little material consideration to refuse the application but he could not support the application.

During the ensuing discussion, whilst acknowledging the Town Council's aspirations, comment was made that the proposal seemed out of proportion. In Halesworth, office spaces remained vacant so no-one from there would consider travelling to Southwold. Members expressed disappointment that there was no Business Plan in place and noted permission had already been granted albeit for a slightly different scheme. With no grounds for refusal, it was

RESOLVED

That the variation of conditions 2 and 4 be approved, subject to the conditions previously imposed, except where they relate to the café use which is no longer part of the proposals:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 304529-IW-DR-A-2204 Rev P3; -2203 Rev P3; -2205 Rev P3; ZZ DRA 1001; 1002; 2001D; 2002B; 9001F; 9005; 1001C; 1002C; 1003B; 1004B; 0001G; 0005D; 0005F; 0003B; 0006C; 1005 Transport Statement dated June 2018; Phase I and Phase II Geo-Environmental Assessment dated 10/05/18; Planning Design and Access Statement dated May 2018; Heritage Impact Assessment dated April 2018; and the Drainage Strategy 304529 dated 25/07/18, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

2. Notwithstanding the submitted details a full schedule of wall and roof materials to be used shall be submitted to and approved in writing by the local planning authority prior to development commencing, except demolition, site clearance and the removal of underground tanks. Development to be undertaken in accordance with the approved details.

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

3. No development shall take place (except demolition, site clearance and the removal of underground tanks) until a minimum of ten car parking spaces are made available within the area shown on approved drawing 304529-IW-DR-A-2205 Rev P3. The area shall have been laid out and made available for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority, allowing a temporary surface to accommodate contractors parking for the duration of construction with the final agreed parking surfacing and layout being

completed prior to first occupation of the site. The 10 parking spaces shall thereafter be retained in accordance with the approved details, for the purposes of parking to serve the development hereby granted.

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

4. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority. The investigation must include:

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

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

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

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

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

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

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

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

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

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority.

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

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

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

9. Before the installation of any extract ventilation system, air conditioning, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to the local planning authority for approval, and only the approved plant shall be installed and retained in the approved form thereafter.

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

10. No development shall commence, except demolition, site clearance and the removal of underground tanks until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

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

11. No development shall commence, except demolition, site clearance and the removal of underground tanks until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

12. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

13. No development other than demolition, site clearance and the removal of underground tanks, shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled

waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction.

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan.

14. No development, except demolition, site clearance and the removal of underground tanks, shall commence until details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:

[i] windows, doors and other glazed areas;

[ii] eaves and verges;

[iii] canopies and feature panels;

(iv) cycle storage;

(v) new boundary walls

The approved details shall be implemented in their entirety before the buildings are first occupied.

Reason: In the interests of preserving the character and appearance of the Conservation Area: the application did not include the necessary details for consideration.

15. Within 3 months of commencement of development, precise details of a scheme of hard landscape works at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

16. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, planters and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

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

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

18. No works on the new footpath on Blyth Road shall commence until full details have been submitted to and approved in writing by the local planning authority. No unit shall be occupied until the footpath has been completed in accordance with the approved details.

Reason: To ensure the provision of adequate and improved access arrangements to the site in the interests of highway safety.

19. Prior to works commencing a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan should address how noise and dust/smoke/fumes will be controlled and reduced to a minimum during construction. The building operations undertaken at the site shall comply with the approved details.

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

Informatives:

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

Note: At 4.19pm, Councillor Beavan rejoined the meeting.

9 DC/21/5574/LBC - Jubilee Bridge, The Ravine, Lowestoft

The Committee considered report ES/1045 which gave details of the Listed Building Consent being sought for the repair and refurbishment of the existing Jubilee Bridge which crossed The Ravine in Lowestoft. The application was before the Committee as the Council was the applicant.

The Planner advised that a comprehensive programme of works to repair and refurbish the existing Grade II listed structure was in order to allow safe future usage to recommence upon completion.

Members received a presentation showing the site location plan, aerial photograph, photographs circa 1910 and today. The current condition of the bridge with severe corrosion and delamination to vertical and plan bracing members showed why the works needed to be undertaken. The rainwater downpipes and gully pots were to be replaced and the commemorative carved stone placards were to be cleaned and lettering re-painted. The elevations showed the replacement of the railings, lampposts to be restored and the lighting would include LED lights on the handrails.

The Planner confirmed that there would be less than substantial harm on the listed structure but would provide overriding public benefit. Approval was being recommended subject to appropriate conditions in the report and an amended drawing being received as detailed in the update sheet.

In response to Members' questions regarding timing of works and if there would be a road closure below the bridge, the Planner confirmed that he understood the works would commence relatively soon; it might not be necessary to close the road

depending on how the works were undertaken. With regard to imposing a noise condition, the Planner advised that it was not possible to consider the impact on amenity for a Listed Building Consent; however, an informative was being proposed that would recommend restriction of hours of work which could, if necessary, be controlled by Environmental Protection.

The Committee fully supported the refurbishment which was obviously badly needed and welcomed the works being undertaken in another Jubilee year. Members requested that consideration be given to the bridge being restored to its original colour and that a plaque be erected confirming the restoration had been undertaken in the year of Queen Elizabeth II's Platinum Jubilee. The Planner confirmed this would be requested.

There being no further discussion, it was

RESOLVED

That authority to grant Listed Building Consent be given, subject to the following conditions and the submission of an amended drawing to detail the exact location and size of the proposed enclosures:

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

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

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

- Site Location Plan and existing photos, 20223 EX04 T1, received 15/12/2022,
- Existing East Elevation and Embankment Cross-Section, 20223 EX01 T2, received 15/12/2022,
- Existing West Elevation and Embankment Cross-Section, 20223 EX02 T2, received 15/12/2022,
- Existing Bridge Sections & Details, 20223 EX03 T2, received 15/12/2022,
- Structural Repair Spec & Details: Replacement Bridge Deck, 20223 SR01 T4, received 15/12/2022,
- Structural Repair Spec & Details: Bridge Plan & Vertical Bracing, 20223 SR02 T2, received 15/12/2022,
- Structural Repair Spec & Details: Hand Rails, Balusters & Fixings, 20223 SR03 T2, received 15/12/2022,
- Structural Repair Spec & Details: Main Structure Metalwork Repairs, 20223 SR04 T2, received 15/12/2022,
- Structural Repair Spec & Details: Gates, Abutments & Drainage, 20223 SR05 T2, received 15/12/2022,
- Schedule repair & Refurbishment Works, Job No. 20223, received 15/12/2022,
- Design & Access Statement including Heritage Statement, received 15/12/2022,
- for which permission is hereby granted or which are subsequently submitted to

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

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

3. Prior to the application of any painted finish, the colour of the paint finish to the following elements shall be supplied and agreed in writing by the Council;

- the deck surface,
- steel bracing and supporting structure,
- stonework to abutment piers,
- the balustrade,
- the lamp standards,
- hooped entrance railings,
- the low entrance railings.

The works shall then be completed in accordance with these approved details, and there after retained.

Reason: To maintain the character of the building and its setting.

4. Prior to the replacement of the entrance railings, evidence that they are beyond practical repair shall be provided to the Council together with the extent of the replacement proposed. Large scale details of the like for like replacement railings, including height, material, section sizes, detailing and finish to be supplied and agreed in writing the Council. The works shall then be carried out in accordance with these approved details.

Reason: To maintain the character of the building and its setting.

Informatives:

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

2. Due to the close proximity of nearby residential properties and given the level of work proposed it is requested that the repair & refurbishment works, hereby permitted, shall only take place between the hours of:

- *07:30 and 18:00 Mondays to Friday*
- *08:00 and 13:00 Saturdays*
- *No time on Sundays or bank holidays.*

The meeting concluded at 4.30pm.

.....
Chairman