



**Riverside, 4 Canning Road, Lowestoft, Suffolk,
NR33 0EQ**

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor David Beavan
Councillor Norman Brooks
Councillor Tony Cooper
Councillor Linda Coulam
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North** to be held in the Conference Room, Riverside, on **Tuesday, 11 January 2022 at 2.00pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at https://youtu.be/SQK_3isc7BQ

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to democraticservices@eastsuffolk.gov.uk, of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

Part One – Open to the Public

	Pages
1 Apologies for Absence and Substitutions	
2 Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3 Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4 Enforcement Action - Case Update ES/1004 Report of the Head of Planning and Coastal Management	1 - 19
5 DC/21/0027/FUL - Halesworth Campus (former Middle School Site), Norwich Road, Halesworth ES/1005 Report of the Head of Planning and Coastal Management	20 - 70
6 DC/21/0007/FUL - North Suffolk Skills Academy, Harrisons Lane, Halesworth ES/1006 Report of the Head of Planning and Coastal Management	71 - 106
7 DC/21/4154/FUL - Land at Rectory Lane, Worlingham ES/1007 Report of the Head of Planning and Coastal Management	107 - 142
8 DC/21/4531/FUL - Hedgeley, The Green, Walberswick ES/1008 Report of the Head of Planning and Coastal Management	143 - 151
9 DC/21/4295/FUL - 3 Trinity Street, Bungay ES/1009 Report of the Head of Planning and Coastal Management	152 - 160
10 DC/21/3789/FUL - 3 White Point, Eversley Road, Southwold ES/1010 Report of the Head of Planning and Coastal Management	161 - 176

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11	DC/21/4575/FUL - 114 Clarkson Road, Lowestoft ES/1011 Report of the Head of Planning and Coastal Management	177 - 182
12	DC/21/5114/FUL - 315 London Road South, Lowestoft ES/1012 Report of the Head of Planning and Coastal Management	183 - 188

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

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PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

11 January 2022

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 17 December 2021. At present there are 9 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

RECOMMENDATION

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held 	31/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non- 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months 11/07/2014 – Final compliance date 05/09/2014 – Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	July 2023

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • Due to the receipt of confidential information formal action has been placed on hold. • 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					present to pursue. Review in two years.	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) 	28/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 01/10/2018 – PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. • 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 • 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. • Legal action being considered. • Case to be heard at Court on 15/10/2021 • Court Case adjourned until 12/11/2021 • Court case adjourned for trial on 24th January 2022 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> 16/11/2017 – Authorisation given to serve EN. 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period Appeal submitted. Awaiting Start date Appeal started, final comments due by 08/02/2019. Waiting for decision from Planning Inspectorate. 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the 	31/01/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <ul style="list-style-type: none"> • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. • Further visit to be done on 25/03/2021. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Site visit completed, Notices not complied with, file passed to Legal services for further action. 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> Initial complaint logged by parish on 22/09/2015 Case was reopened following further information on the 08/12/2016/ Retrospective app received 01/03/2017. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. Notice sever by recorded delivery 05/09/2018. Appeal has been submitted. Awaiting Start date. 	28/02/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. • Court hearing in relation to structures and fencing/gates 03/03/2021 • Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed • Site visited on 13/08/21 all structures removed from the site. 	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 	31/01/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council • Compliance with Notice by 18/08/2021 • Extension of time granted for compliance until 31/10/21. • Further extension granted until 15/11/2021. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered. 	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> Enforcement Notice served 10/12/2019 Awaiting site visit to check on compliance Site visit undertaken, summer house still in situ. Further action to be considered. Property has now changed hands. Contact with new owner to be established. Officers are now in contact with the new owners and are discussing a way forward. Six weeks given for summerhouse, decking and steps to be removed. New planning application has been submitted. Case on hold until determined. Planning permission has been granted for retention of the 	31/01/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>decking element. Removal of summerhouse and steps have been conditioned.</p> <ul style="list-style-type: none"> • Summerhouse to be removed by 10th June 2021 • Site visit to be undertaken. • 16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal. 	
ENF/2019/0307 /COND	21/10/2021	North	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon	Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	<ul style="list-style-type: none"> • 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. • Appeal submitted. Waiting for start date from the Planning Inspectorate. • Appeal notice received. Statement due to Planning Inspectorate by 21/01/2022. 	25/02/2022 and 25/04/2022

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/0027/FUL

Location

Halesworth Campus (Former Middle School Site)
Norwich Road
Halesworth
Suffolk
IP19 8PY

Expiry date 19 April 2021

Application type Full Application

Applicant Castlemeadow Care

Parish Halesworth

Proposal Hybrid Planning Application for Retirement Community development to include (i) Full Planning Application for 54 bed care home (Use Class C2, Block C), associated landscaping, parking, acoustic fencing, access from Norwich Road and waste storage and (ii) Outline Application with all matters reserved for 100 Extra Care apartments and communal facilities (Use Class C2, Blocks A and B) and administration, training and staff accommodation building (Block D)

Case Officer Phil Perkin – Principal Planner (Major Projects)
(01502) 523073
philip.perkin@east Suffolk.gov.uk

1. Summary

- 1.1. The proposal is a hybrid planning application for the redevelopment of the former Halesworth Middle School on the east side of Norwich Road in Halesworth. It seeks full planning permission for a care home and outline planning permission for extra care retirement apartments.

- 1.2. The site forms part of the allocation in the East Suffolk Council Waveney Local Plan 2019, for the Halesworth/Holton Healthy Neighbourhood (Policy WLP4.1), a comprehensive redevelopment to provide housing, health care facilities, retirement community and indoor and outdoor sports facilities on the former Middle School site and adjacent land. This application must be read alongside DC/21/0007/FUL also presented to this Planning Committee meeting for consideration. The two applications are mutually dependent on each other.
- 1.3. In accordance with Policy WLP4.1 the proposal to redevelop the former Halesworth Middle School site is regarded as enabling development for the re-provision of sports pitches on adjacent land. As such this application is being presented alongside the Full Planning Application DC/21/0007/FUL for a new grass pitch and artificial (3G) pitch and associated development. Collectively both applications will allow consideration of a major component of the Halesworth/Holton Healthy Neighbourhood allocated under Policy WLP4.1. Overall, the land areas, nature and quantum of development accords with Policy WLP4.1 and its indicative masterplan. A previous outline planning permission for 190 homes (DC/18/4947/OUT) east of this site off Harrisons Lane was consented in 2019 and also forms a fundamental part of the allocation, specifically through the provision of land for the 3G pitch and future sports and leisure development in the southern part of the allocation.
- 1.4. The principle of a care home and retirement apartments is accepted as being in accordance with the Local Plan allocation. Whilst the application has raised a number of issues and concerns as set down in this report, it is considered that subject to appropriate controlling conditions, these can be satisfactorily mitigated.

Case for Development

- 1.5. The site forms part of the Halesworth/Holton Healthy Neighbourhood under Policy WLP4.1 of the East Suffolk Council Waveney Local Plan (March 2019) which allocates 22.05ha of land comprising the former Halesworth Middle School site, North Suffolk Skills Centre and land to the south, for a comprehensive mixed use development comprising:
 - Residential development (approximately 215 dwellings) now consented under DC/18/4947/OUT;
 - Health Care Facility and Retirement Community;
 - Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities and
 - Education/Training Facility.
- 1.6. This application seeks consent for the health care and retirement community element of the Halesworth/Holton Healthy Neighbourhood. The principle of development on the site is therefore established and the application will help deliver the vision of the Halesworth Campus and Halesworth Health to provide additional sporting and health facilities in the town. The plans of these organisations will help promote healthier lifestyles for new residents and existing residents alike.
- 1.7. The detailed design for the care home specifically responds layout and design understanding which has resulted to Covid 19 in order to improve infection control. It is considered to be a contemporary high quality design.

- 1.8. The outline application for the proposed extra care apartments includes indicative proposals that demonstrate a design appropriate to the urban context of the site. The application sets scale and massing parameters of these apartment blocks but the final design will be subject to future reserved matters applications. Furthermore the application secures a number of design parameters to ensure detailed proposals are of high quality.
- 1.9. Both the proposed care home and retirement apartments are in a highly sustainable location with good pedestrian connectivity to the proposed adjacent sports facilities, the Cutlers Hill Surgery, town centre, train station and areas of new housing development.

Reason for Committee

- 1.10. This application is referred to the Planning Committee at the discretion of the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest and significance of the scheme.

Recommendation

- 1.11. Officers are seeking authority to approve the application with conditions, subject to completion of a Section 106 Agreement to ensure the timely provision of the sports pitches as proposed by DC/21/0007/FUL thereby ensuring continuity of sports pitch provision.

2. Site description

- 2.1. The site covers some 2.7ha in area located on part of the former Halesworth Middle School site (now demolished) to the north of Halesworth. The remainder of the school site and additional land to the south is subject to a separate, albeit linked, application by Halesworth Campus Ltd. to provide sports facilities (DC/21/0007/FUL).
- 2.2. Other than the proposed sports uses and the existing North Suffolk Skills Academy the site is bound by residential accommodation to the south and west and there are two residential properties adjacent to the northern boundary. Norwich Road (A144) marks the western boundary and forms the main route through Halesworth and the vehicular or pedestrian route from the site into the town centre. On the opposite side of Norwich Road are residential properties of varying scale and style ranging from bungalows to a four storey apartment block. Next to this is a water tower. Along the Norwich Road frontage to the site is a mature hedge and belt of trees. The junction of Norwich Road and Bungay Road is located adjacent to the south western corner of the site.
- 2.3. Leading from Bungay Road, and running along the southern boundary of the site is a cycleway/footpath which previously provided direct pedestrian access to the Middle School but it is not a designated Public Right of Way. Two residential properties are located immediately south of the path. Further residential properties are located along both sides of Bungay Road which also provides access to Cutlers Hill Surgery and the former Patrick Stead Hospital and the train station.
- 2.4. There are no listed buildings or other heritage assets within the site although there are two listed buildings within the vicinity these being Wisset Place at the Norwich Road/Old Station Road junction and Town Farm to the south east of the site. The site does not fall within any local or national landscape designations.

2.5. Wider context of development in town

3. Proposal

- 3.1. As will be noted from the description this is a hybrid application meaning it seeks consent for full planning permission on one part of the site and outline planning permission for another part of the same site.
- 3.2. The application seeks full planning permission for a 54 bed care home, access parking and landscaping (Block C). The outline element seeks consent for the principle of 100 extra care apartments and communal facilities and administration, training and a staff accommodation building (Block D). This would be the first phase of development.
- 3.3. The 100 extra care apartments would be provided in two blocks (A and B) each of 50 apartments fronting Norwich Road with the care home located to the rear. Primary vehicular is proposed from Norwich Road between the two apartment blocks with the care home on the south side of the access road, extending down to the southern boundary of the site, adjacent to the existing cycle/foot path. A secondary vehicular access is proposed from Bungay Road adjacent to the southern most apartment block B.
- 3.4. Shared surfaces are proposed to create a pedestrianised plaza that links the Extra Care apartments with each other and to the front-of-house aspect of the care home.
- 3.5. 37 car parking spaces are proposed for the care home (19 for staff and 18 for visitors) and 5 staff and visitor cycle parking spaces. A total of 137 car parking spaces are proposed for the apartments, including an area of undercroft parking to block B, although this will be subject to a reserved matters application.
- 3.6. Castlemeadow Care currently provide care services to over 450 people with complex care needs over 7 locations employing over 450 staff. It is anticipated that 140 residents will live within the proposed Extra Care apartments and 54 residents will live within the care home. It is anticipated that residents will come from within a 5 mile radius of the site.
- 3.7. Nursing care will be on hand 24/7 to assist with day-to-day life where required. In addition Castlemeadow Care have a vision to establish a 'Care Hub' for the community of Halesworth by offering the facilities available at the site for meetings, work, shops and gatherings to promote health and wellbeing in general. The development includes a restaurant, lounge bar/cafe, a hair and beauty salon and a multifunctional space offering wellbeing workshops, exercise classes and other activities,
- 3.8. Castlemeadow Care aim to offer on-site vocational training to staff members to bring employees from Halesworth and the wider community into the care profession.
- 3.9. Whilst it is important for such an application to be submitted by a care provider and for it to be well supported by such information, this application is not seeking a personal permission and therefore, should circumstances change, another car provide could deliver the development.

- 3.10. The proposed care home is a contemporary 3 storey pitched roof building consisting of a central spine containing the main reception foyer with a café, a variety of day space lounges and activity rooms, residents' facilities, care stations, treatment rooms and ancillary spaces. The adjacent service block comprises a restaurant and kitchen on the ground floor with staff rooms on the first floor.
- 3.11. Leading off the central spine of the care home are three separate wings, or "Houses", containing 9 bedrooms per floor (or 18 per house). This arrangement allows for each cluster of 9 bedrooms to be locked down independently in an infection scenario in response to Covid 19 and to improve infection control.
- 3.12. The Extra Care apartments and staff accommodation are subject to an outline planning application. However, the submitted Masterplan for the site shows the location and layout of the apartments in some detail. Indicative details of the design of the apartments are also contained within the submitted parameter plans and Design and Access Statement. These show the proposed apartment blocks to be 3 storeys high with the third floor set back behind a parapet and with 2.5 storey gables. Should the application be approved it would be expected that these parameter plans would inform any future reserved matters application.
- 3.13. Nature of Extra Care....C2 USE CLASS
- 3.14. An improved pedestrian/cycle route along the southern boundary of the site will be provided to link into the adjacent proposed sports facilities under application DC/21/0007/FUL. Provision will also be made for a new direct public footpath southwards to the Cutlers Hill Surgery.
- 3.15. The planning application is supported by the following documents:
- Planning Statement including an Affordable Housing Statement
 - Outline designs to include indicative massing proposals to give an understanding of building heights, styles and materiality for the 100-apartment retirement living, associated service and communal spaces and the staff accommodation building.
 - Detailed plans, sections, elevations and visualisations for the 54 bed care home
 - Landscaping scheme
 - Arboricultural Assessment
 - Ecological Impact Assessment
 - Heritage Impact Assessment
 - Design and Access Statement
 - Transport Assessment
 - Workplace Travel Plan
 - Flood Risk Assessment
 - Surface Water Drainage proposals
 - Utilities Statement
 - Site Investigation and Risk Assessment
 - Archaeological desk study
 - Health Impact Assessment
 - Energy and Ventilation Assessment
 - Viability Assessment

- 3.16. To address comments made during the consultation period revised and additional details were submitted to include amended site location plan, amended masterplan and landscape plans, highway details, flood risk assessment, ecological impact assessment and design parameter plans.

4. Consultations/comments

- 4.1. Ten representations objecting to the application have been received raising the following matters (inter alia):

- Loss of light and outlook
- Overshadowing
- Overlooking and loss of privacy
- Increased traffic and noise
- The apartments do not comply with the C2 classification
- The proposed apartments would tower over almost all the domestic buildings in the vicinity and would be completely out of place
- The apartments would completely overlook the private areas of our home
- Our visual amenity would be hugely affected
- There would be 24 hour light intrusion from the development
- Insufficient health and social care provision for the present population
- How could health and care services in Halesworth cope with such a large influx of people with extra support needs?
- The adjacent grass football pitch is a potential point of conflict
- Bus services in Halesworth are extremely limited
- Are there sufficient parking spaces on this development
- Very little mention of any practical way through this development by bike
- Trees and hedges should be protected
- Flooding concerns
- Impact on wildlife
- The proposal would look completely out of place
- Loss of green space
- Negative impact on property value and sale-ability
- Highway safety
- The design is too high and out of proportion with existing surrounding buildings
- The design is out of character with existing surrounding buildings and the character of a small market town
- Light pollution
- Construction disruption over a long period
- Due to Covid 19 a decision should be delayed
- Over development of the site
- Contrary to Policy WLP8.22 - Built Community Services and Facilities

- 4.2. One representation has been received supporting the principles behind the submission.

- 4.3. Revised highway, drainage and design details were submitted to address comments made during the initial consultation period and were subject to a further period of consultation.

4 representations objecting to the application have been received raising the following matters (inter alia):

- Inappropriate to locate elderly accommodation and sports pitches close to one another
- Noise and light intrusion
- Acoustic and ball stop fencing is needed to protect existing properties
- Concerned about landscaping proposals adjacent to our property
- Halesworth does not have a sustainable bus service
- Overdevelopment
- The proposed buildings are too high
- The site would attract crime and anti-social behaviour
- Domineering buildings are out of scale and character
- Highway safety
- No evidence of need
- Lack of doctors and care staff

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Halesworth Town Council	21 January 2021	11 February 2021
<p>Summary of comments:</p> <p>Extract from Halesworth town Council's Extraordinary meeting held on 8th February, 2021: The decision was to recommend REFUSAL as noted below</p> <p>a) Ref. No: DC/21/0027/FUL Hybrid Planning Application for Retirement Community development to include (i) Full Planning Application for 54 bed care home (Block C), associated landscaping, parking, access from Norwich Road and waste storage and (ii) Outline Application with all matters reserved for 100 Extra Care apartments and communal facilities (Blocks A and B) and administration, training and staff accommodation building (Block D) Planning Application Halesworth Campus (Former Halesworth Middle School Site) Norwich Road Halesworth Suffolk IP19 8PY</p> <p>The Chair of HTC's Planning Committee confirmed that his understanding was that ESC (East Suffolk Council) were looking at the C2 classification and if it met the C2 classification criteria.</p> <p>Regarding the application Cllr Dutton proposed a series of objections which were later detailed in the resolution below;</p> <p>After some further debate where some Cllrs expressed their support for healthcare facilities in principle but on a far less imposing development. Other views were that the two applications were not compatible; on the one side a retirement and care facility necessitating peace and quiet and on the other; sports facilities which would naturally produce significant levels of noise at times from in and around the pitches. Concerns with the loss of open spaces and the change this would have on</p>		

the character of the town as seen from the main approach along Norwich road.

The Chair concluded that the debate had appeared to have come to a conclusion and asked the Council to consider Cllr Dutton's proposal and it was then RESOLVED that the Council (by 9 votes to 2) recommended refusal of the application DC/21/0027/FUL for the following reasons:-

I. Scale and Dimensions

- a. Monolithic and overbearing - too urban for the approach road to a medieval market town.
- b. Too high - the neighbouring water tower is an inappropriate reference point

II. Layout and Density

- a. Very high density in Blocks A & B along Norwich Road. Care home and palliative care too close to proposed rugby/football training pitches.

III. Appearance and Design

- a. Too urban and out of keeping with the Suffolk vernacular architecture.

IV. Traffic & Parking

- a. 100 residents probably equate to 60+ cars as residents will be mobile so will need more parking places plus spaces for visitors and the public who are invited to use the facilities. Traffic concerns accessing Norwich Road.

V. Drainage and Flood Risk

- a. The surface water drainage report refers to an earlier scheme on Dairy Hill and is irrelevant for this application.
- b. Surface water run-off is a serious problem in Halesworth due to the heavy nature of the soil. A large part of this site will be covered by hard and some permeable surfaces which will increase the need to safely dispose of this additional surface water within the site's boundary.
- c. The only escape is down the drain under Bungay Road. Critical attention needs to be paid to the surface water disposal scheme which still needs to be presented.

VI. Impact on the Community

- a. A care home and 100 extra care rooms will need considerable medical support. Cutlers Hill is currently under severe pressure due to a shortage of Doctors and an already elderly population.

VII. Environment

- a. The heating system is going to be 'gas led' with contributions from air source heat pumps and PVs. The plan should be for a non-carbon system.

Although not a planning matter; Cllr Dutton was nevertheless concerned by the conclusion of the Financial Viability Assessment that states 'It is therefore our reasonable judgment that a viable scheme is one which contains 100 extra care apartments for market sale at considerable risk to the developer.'

The full draft minutes of the meeting is available on the Town Council's website
<https://halesworthtowncouncil.org.uk/the-council/past-meeting-minutes/>

Statutory consultees

Consultee	Date consulted	Date reply received
Sport England	27 January 2021	17 February 2021
<p>Summary of comments: Sport England raises no objection to this application which is considered to meet exception 4 of our adopted Playing Fields Policy. The absence of an objection is subject to the conditions being attached to any planning consent granted for application DC/21/0007/FUL.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	21 January 2021	29 January 2021
<p>Summary of comments: Holding objection. Whilst the proposal is acceptable in principle, access and sustainable links to the site require amendment.</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	21 January 2021	3 February 2021
<p>Summary of comments: Holding objection because the proposed surface water management strategy does not comply with national and local policy.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Great Yarmouth And Waveney Clinic Commissioning Group	26 August 2021	No response
<p>Summary of comments: No response.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	4 February 2021	4 February 2021
Summary of comments: We recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.		

Consultee	Date consulted	Date reply received
Anglian Water	27 January 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	27 January 2021	No response
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	21 January 2021	12 February 2021
Summary of comments: No objection. Conditions recommended.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 January 2021	5 February 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	21 January 2021	22 February 2021
Summary of comments: Currently reviewing the application.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	21 January 2021	27 January 2021
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Disability Forum	21 January 2021	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	21 January 2021	5 February 2021
Summary of comments: CIL library contribution to be the subject of a future bid.		

Consultee	Date consulted	Date reply received
SUSTRANS	21 January 2021	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	21 January 2021	2 February 2021
Summary of comments: Advisory comments on reducing the risk of crime or anti-social behaviour.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	21 January 2021	19 February 2021
Summary of comments: No objection. Conditions recommended.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	21 January 2021	22 February 2021

Summary of comments: Internal response; see report.
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Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	21 January 2021	7 April 2021

Summary of comments: Internal response; see report

Consultee	Date consulted	Date reply received
SCC Andy Osman Emergency Planning	21 January 2021	No response

Summary of comments: No response

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	21 January 2021	No response

Summary of comments: No response

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	21 January 2021	27 January 2021

Summary of comments: A condition is required for fire hydrants.
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Consultee	Date consulted	Date reply received
SCC Rights Of Way	22 February 2021	22 February 2021

Summary of comments: We accept this proposal subject to the following: A link is provided between the sites and Halesworth Public Footpath 17 at Dairy Hill to connect the development to the Doctors Surgery.
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Consultee	Date consulted	Date reply received
The British Horse Society	1 February 2021	1 February 2021

Summary of comments: No objection in principle. Loam Pit Lane should be upgraded to Bridleway status.
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Reconsultation consultees

Consultee	Date consulted	Date reply received
Halesworth Town Council	2 September 2021	23 September 2021
<p>Summary of comments:</p> <p>Comments:</p> <p>After some debate it was clear that the revised application did not address most of the concerns of the Town Council (noted in the minutes 56.3 8th February, 2021) to any significant degree and it was RESOLVED that the Council recommended refusal of the application DC/21/0027/FUL on the followings grounds:-</p> <ol style="list-style-type: none"> 1. The application would set a precedent for similar applications. Halesworth was at risk of becoming a retirement town. 2. The current infrastructure was not in place to serve this proposal especially as regards the provision of medical and care infrastructure which is inadequate for the current population 3. The site was not an urban location but a thinly populated approach road to a small market town and the design was inappropriate for the area 4. The Scale and Density was overbearing 5. The proposed gas heating is against the Government's commitment for a low carbon economy 6. It was at odds with the Government's move towards home care 7. A significant loss of an important open space 8. It does not serve local needs as can be demonstrated by the availability of similar 1 bed units in the town and the vacant beds in the existing care homes 		

Consultee	Date consulted	Date reply received
Norfolk And Waveney NHS CCG	2 September 2021	27 October 2021
<p>Summary of comments:</p> <p>No objection subject to additional CIL and S106 requirements in order to mitigate the impacts of these developments, and to support the extension and improvements to Cutlers Hill Surgery.</p>		

Consultee	Date consulted	Date reply received
Anglian Water	2 September 2021	No response
<p>Summary of comments:</p> <p>No response.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	2 September 2021	No response
<p>Summary of comments:</p> <p>Internal response; see report.</p>		

Consultee	Date consulted	Date reply received
Disability Forum	2 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	2 September 2021	14 September 2021
Summary of comments: Supports the application.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 September 2021	1 October 2021
Summary of comments: No objection. Conditions recommended.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 September 2021	21 September 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Andy Osman Emergency Planning	2 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	2 September 2021	3 September 2021
Summary of comments: Require a condition for fire hydrants.		

Consultee	Date consulted	Date reply received
The British Horse Society	2 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	2 September 2021	9 September 2021
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	2 September 2021	No response
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	2 September 2021	7 September 2021
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	2 September 2021	20 September 2021
Summary of comments: Previous comments apply.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	2 September 2021	2 September 2021
Summary of comments: No objection. Conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	2 September 2021	15 September 2021

Summary of comments: Holding objection.
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Consultee	Date consulted	Date reply received
SCC Highways Department	2 September 2021	28 October 2021

Summary of comments: The application should be refused until an updated proposals plan has been submitted by the applicant showing the proposed traffic calming measures.
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Consultee	Date consulted	Date reply received
SCC Rights Of Way	2 September 2021	24 September 2021

Summary of comments: The inclusion of walking and cycling routes is welcomed.
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Consultee	Date consulted	Date reply received
Sport England	2 September 2021	13 September 2021

Summary of comments: Support, subject to conditions.

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	2 September 2021	No response

Summary of comments: No response.

Consultee	Date consulted	Date reply received
SUSTRANS	2 September 2021	No response

Summary of comments: No response.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	2 September 2021	4 October 2021

Summary of comments: Internal response, see report.
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Consultee	Date consulted	Date reply received
East Suffolk Economic Services - N. Rickard 50+ Dwellings	2 September 2021	14 September 2021
Summary of comments: Supports the application.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	2 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 October 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Natural England	23 November 2021	
Summary of comments:		

Publicity

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

Category	Published	Expiry	Publication
Major Application	19 February 2021	12 March 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	19 February 2021	12 March 2021	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: Major Application Affects Setting of Listed Building Date posted: 19 February 2021 Expiry date: 12 March 2021
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6. Planning policy

6.1. National Planning Policy Framework (2021) NPPF

6.2. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP1.1 - Scale and Location of Growth
- WLP1.3 - Infrastructure
- WLP4.1 - Halesworth/Holton Healthy Neighbourhood
- WLP8.1 - Housing Mix
- WLP8.2 - Affordable Housing
- WLP8.21 - Sustainable Transport
- WLP8.22 - Built Community Services and Facilities
- WLP8.24 - Flood Risk
- WLP8.28 - Sustainable Construction
- WLP8.29 - Design
- WLP8.31 - Lifetime Design
- WLP8.34 - Biodiversity and Geodiversity
- WLP8.37 – Historic Environment
- WLP8.40 - Archaeology

Historic Environment Supplementary Planning Document

7. Planning considerations

Planning Policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." This is reflected in paragraph 12 of the NPPF, which affirms the statutory status of the development plan as the starting point for decision making.
- 7.2. The development plan comprises the East Suffolk Council - Waveney Local Plan ("local plan") and any adopted neighbourhood plans. The relevant policies of the local plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of development

- 7.3. The site is sustainably located within the settlement boundary for Halesworth and forms part of the Halesworth/Holton Healthy Neighbourhood allocation under Policy WLP4.1 of the East Suffolk Council - Waveney Local Plan (2019). The principle of development on the site is therefore accepted. For completeness Policy WLP4.1 reads as follows:

The Halesworth/Holton Healthy Neighbourhood (22.05 hectares) as identified on the Policies Map is allocated for a comprehensive mixed use development comprising:

- *Approximately 215 dwellings;*
- *Health Care Facility and Retirement Community (approximately 2.3 hectares);*
- *Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities (approximately 8.6 hectares); and*
- *Education/Training Facility.*

The site should be developed in accordance with the following site specific criteria:

- *Residential development will be located on the northern and eastern parts of the site, which has an area of 7 hectares. The site will be developed at a density of approximately 30 dwellings per hectare.*
- *The health care facility and retirement community will be located on the north western parts of the site.*
- *The sports facilities will be located on the central parts of the site. Sports facilities on the site should include a 3G artificial pitch for all weather sports provision. This should be enabled by residential development on the site and appropriate delivery mechanisms and triggers will need to be agreed with the Council, in consultation with Sport England, to ensure the comprehensive development of the whole site in a coordinated and timely way.*
- *Redevelopment of the site will include replacement of the Apollo Youth Club.*
- *The North Suffolk Skills Centre will be retained on the site to be used for educational, voluntary and community purposes. This includes providing accommodation for local community organisations.*
- *Existing facilities at Dairy Hill, including the sports pitches, martial arts school, tennis courts, bowling green and children's play space, will be retained.*
- *Access to the residential development should be from Harrisons Lane.*
- *Existing trees and hedges on the site will be retained. There should be tree planting along the eastern edge of the site totalling 2.5 hectares to minimise landscape impact of the site.*
- *Development should be designed to encourage walking and cycling. Existing public rights of way on the site will be retained and new pedestrian access provided to include connectivity both within the site and with neighbouring parts of Halesworth. Loam Pit Lane should provide pedestrian and cycle access to the site.*
- *A Transport Assessment and Travel Plan should be submitted with any planning application.*
- *Any planning application is to be supported by the results of a programme of archaeological evaluation, including appropriate fieldwork, and should demonstrate the impacts of development on archaeological remains and proposals for managing those impacts.*

- *A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.*

- 7.4. Policy requirements relevant to this application are considered in the report.
- 7.5. The indicative masterplan included in the Local Plan indicated the area adjacent to the Norwich Road that should be used for health facilities and retirement community. The proposed development is located in accordance with the indicative masterplan.
- 7.6. The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The strategy for Halesworth and Holton is to increase the level of housing within the town which will help deliver enhanced health and sports facilities and new employment opportunities. Halesworth and Holton area is expected to deliver approximately 8% of the housing growth in the Waveney Local Plan area.
- 7.7. There have been questions raised in representation made in respect of the principle of redeveloping the playing field for this purpose alongside the Halesworth Campus sports proposals. However, the point to question this principle of redevelopment has passed with the adoption of the Local Plan, which involved extensive consultation and engagement with communities. The current approach to redevelopment of the middle school site was promoted through the Local Plan, it was consulted upon, examined in the Local Plan hearings and finally reviewed and found sound by a Planning Inspector. There is now now reason to deviate from the path set by the Local Plan.
- 7.8. Importantly a recent appeal decision in East Suffolk emphasises the important regard that must be had at planning application (and appeal stage) to the adoption of the Local Plan and its policies and allocations, this is quoted below and SCLP can be substituted for the WLP (Waveney Local Plan) in this instance:
- "16. Interested parties have raised a number of concerns about the procedures followed during adoption of the SCLP1 , claiming the plan and site allocation to be unsound for two key reasons. First, a late change was made to proposed sites and, second, non-provision to the examination of what is claimed to have been crucial information relating to tree works, the latter of which I return to later. However, the adoption of the SCLP has been through a robust examination process, which included detailed consideration of proposed sites. This was not formally challenged by any party at that time, and this s78 appeal is not the appropriate mechanism to do so now.*
- 17. Although I appreciate the concerns of residents, the SCLP is the development plan against which I am required by law to determine this appeal, unless material considerations indicate otherwise."*
- 7.9. The proposed development is considered to be a suitable location for a care home and extra care retirement apartments and, subject to matters of detail in respect of the apartments, would be a compatible with the prevailing character of the surrounding area being predominantly residential in nature. The development would also seek to utilise an existing partly vacant brownfield site, which accords with paragraph 120 (c) of the NPPF which states that "planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land".

- 7.10. The former middle school and its playing fields were disposed of by the County Council and passed on to Halesworth Campus to enable sports and leisure redevelopment opportunities. Although the nature of the original plans has evolved over time including the removal of the Halesworth Community Sports and Leisure land (Dairy Hill, to the south of the site) and the addition of further land, the principle of the disposal of that County asset remains unchanged. It is not for this planning application to question the process of transfer of land to Halesworth Campus but it is clear that both Halesworth Campus and Castlemeadow Care have undertaken substantial investment to reach this planning application stage based on the confidence installed by the Local Plan process. It is also understood that the County Council maintains an important role in overseeing the development by holding funds from the sale of the land to Castlemeadow Care until Halesworth Campus have demonstrated that those funds are ready to be spent on new sports and leisure facilities.

Specialist Housing

- 7.11. The Local Plan acknowledges that the former Waveney area has an ageing population with a need for specialist housing. This is clearly represented in the Town Profile <https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Town-and-village-profiles/Halesworth-Town-Profile.pdf> This is evidently a town which does need to provide care facilities for the long term needs of an aging population.
- 7.12. Policy WLP4.1 does not specify the number of care beds, housing units, or the types of services and facilities that must be accommodated with the Heath Care Facility and Retirement Community. However, the Strategic Housing Market Assessment (2017) identified a potential need for 1,197 sheltered and extra care housing, and a need for 905 additional spaces in care/nursing homes over the plan period to 2036 within the Waveney Local Plan area. The proposed development provides an opportunity to deliver housing to meet this need.
- 7.13. A key finding of the Strategic Housing Market Assessment was the need for smaller units across the District in the form of 1 and 2 bedroom properties. As such Policy WLP8.1 requires 35% of new dwellings to be 1 or 2 bedroom properties. Whilst the extra care apartments are applied for in outline form the indicative proposals are for all 100 of them to be 1 bed, 2 bed or 2 bed with a study, which would be policy compliant if followed through to a reserved matters application. Such smaller units offer the opportunity for residents in the area to downsize which in turn can free up existing homes of larger sizes for other housing needs.

Affordable Housing

- 7.14. On sites of 11 dwellings or more Policy WLP8.2 requires that 30% of the units are provided as affordable housing unless it can be demonstrated that it is unviable to do so. The policy specifies that "sheltered and extra-care housing should be included as affordable units where needed and where practicable." There is no evidence that the demand for affordable housing is limited solely to none specialist forms of housing. Policy WLP8.2 clearly specifies that sheltered and extra-care housing should be included as affordable units where needed. It is therefore appropriate to apply the requirements of policy WLP8.2 to all types of dwellings (Specialist and none specialist) provided on site WLP4.1.

- 7.15. The planning application does not dispute that C2 uses are subject to affordable housing contributions. However, no affordable housing is proposed within the outline application for the extra care apartments. The submitted Planning Statement and Financial Viability Assessment both assert that it is not financially viable for the development to do so either on site or through a commuted sum payment.
- 7.16. The Financial Viability Assessment (FVA) has been subject to an independent assessment to verify the assumptions made. The independent assessment agrees with the outcome and conclusions of the FVA confirming that the proposed development of 100 extra care apartments does not support the delivery of affordable housing.
- 7.17. However, this issue needs to be considered in the context of other applications in Halesworth. There are currently two other planning applications that propose elderly persons accommodation (DC/21/4501/FUL at Dairy Farm, Saxons Way and DC/21/3016/FUL Land west of Norwich Road). Both these applications also assert that it is not viable to provide any affordable housing. Officers are seeking independent reviews of the FVA's for these applications and to ensure consistency this application will also be included in that review.
- 7.18. The current position is that it is not viable for this application to provide affordable housing based on the independent assessment received. Subject to there being no alternative outcome from the second stage of assessment this this application is to receive, it is accepted that this proposal will not be providing any affordable housing.

C2 Use Class

- 7.19. The application states that the whole development falls within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). C2 Residential Institutions provide residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses) or within a hospital, nursing home or residential school. It is clear from this that the proposed care home would fall within Class C2.
- 7.20. With regards to the extra care apartments case law has established that a Class C2 development could include accommodation in the form of dwellings, including flats/apartments, each of which had facilities appropriate for private, or independent, domestic existence, although their use would only fall within the Class C2 use if "care" were provided for an occupant in each dwelling who was "in need of care" as defined in Article 2 of the Use Classes Order. Case law also established that the accommodation must be capable of being described as a residential institution, which would include, for example, an "organisation" managing the development in order to ensure that the needs of residential occupants for "care" are delivered.
- 7.21. A C2 status does not necessarily define Extra Care housing and there are examples of C3 (dwelling houses) still being defined as Extra Care and subject to very similar restrictions and levels of care. In this instance the main difference between a C2 and C3 use is effect of Community Infrastructure Levy on the development. C3 uses are liable to pay this, C2 uses are not liable. Therefore C2 uses must be mitigated in their infrastructure effects through conditions and section 106 obligations where necessary.

- 7.22. Castlemeadow Care is an established local care organisation. The development will have staff on site 24/7 and care provision would be registered with the CQC. The minimum age for occupants of the extra care apartments is proposed to be 65 and they will have been assessed as in need of care. Occupiers would also be required to purchase a minimum care package. There would be outdoor communal space and communal facilities within each proposed apartment block, including restaurant, cafe, lounges, hair salon and convenience store as set out in the accommodation schedule within the Design and Access Statement. Although the apartments are applied for in outline form it is considered that a condition could require the accommodation schedule to be reflected in any reserved matters application. Subject to care obligations and occupation restrictions, which can be secured by S106 Agreement, it is agreed that the use of the site would fall within Class C2.

Highway Considerations

- 7.23. The primary vehicular access to the care home and apartment block A will be from Norwich Road. A secondary vehicular access to the care home and apartment block B will be from Bungay Road. The Highway Authority have confirmed that both accesses are acceptable.
- 7.24. The site is sustainably located within Halesworth. Policy WLP4.1 states that the Halesworth/Holton Healthy Neighbourhood should be designed to encourage walking and cycling. Existing public rights of way on the site will be retained and new pedestrian access provided to include connectivity both within the site and with neighbouring parts of Halesworth
- 7.25. Local Plan Policy WLP8.21- Sustainable Transport, says that development proposals should be designed to encourage people to travel using non-car modes to access home, school, employment, services and facilities and that developments should connect into the existing pedestrian and cycle network.
- 7.26. The new access from Bungay Road will connect to the existing shared footway on Norwich Road and the existing pedestrian route from Bungay Road along the southern edge of the site will be improved in width in order to provide a site wide sustainable link from Norwich Road and Bungay Road and connection into the adjacent Halesworth Campus site. Norwich Road provides direct pedestrian access to the services and facilities within Halesworth town centre and Bungay Road to the train station.
- 7.27. There should also be good pedestrian connectivity within the site particularly as the Cutlers Hill surgery is located a short distance to the south. It is considered unacceptable if the proposal did not provide a direct route pedestrian route to it, otherwise there would be a less convenient circuitous route for patients needing to access the facility, and indeed for G.P's needing to visit patients. It would be a lost opportunity not to provide this link which will improve the connectivity of the site. It will be noted that Suffolk County Council Public Rights of Way Team support the proposal subject to the provision of a link to Public Footpath 17 at Dairy Hill to connect the development to the Doctors Surgery, Public Footpath 17 then connects with Halesworth Public Footpath 7. In addition the sports land will connect with the new route, through to the northern part of Footpath 7) Loam Pit Lane, into the Harrisons Lane housing development and onwards into the open space of the Hill Farm Road (Hopkins) development. The result will allow for off-road circular walks

and enhanced east-west connectivity (including across to Holton) avoiding the use of any roads, thereby providing good connectivity to the surrounding network as required by Policy WLP8.21.

- 7.28. Ensuring this application provides a pedestrian link to the Cutlers Hill Surgery can be secured through a S106 contribution. Because the new Public Right of Way will involve third party land, specifically the edges of the football pitches owned by the Halesworth Community Sports and Leisure (HCSL) charity, the creation of this route will involve either a Public Right of Way Creation Agreement or Creation Order. Hopefully the former of the two process could progress through collaborative working with HCSL if that isn't possible the funding would also cover a order making process. The funding request also includes the cost of repositioning of fencing.
- 7.29. A total of 19 parking spaces are proposed for staff associated with the care home and 18 spaces for visitors and 5 covered cycle parking spaces for staff and visitors. Although parking for the apartments and staff accommodation would be subject to a future reserved matters application the Masterplan of the site and parameter plans provide reassurance that an adequate amount of parking could be achieved.
- 7.30. Policy WLP8.21 - Sustainable Transport, states that development will be supported where it includes facilities for charging plug-in and other ultra-low emission vehicles. It is considered that a development of this scale should make provision for electric vehicle charging which can be the subject of a condition in the event that the application is approved.
- 7.31. The submitted Transport Assessment concludes that the impact of the proposed development on the operation of the local highway network has been assessed using modelling software which demonstrates that the traffic flows associated with the proposed development will be satisfactorily accommodated on the local highway network without resulting in any severe impacts on the free-flow of traffic.
- 7.32. Having regard to highway matters, it is considered that the proposed development would be well located and designed to encourage people to travel using non-car modes. There is no objection from the Highway Authority the proposal would accord with the expectations of WLP4.1 and WLP8.21 and would be both sustainable and safe.

Design

- 7.33. Policy WLP8.29 sets down design criteria for development proposals. In particular they will be expected to demonstrate high quality design and respond to local context and the form of surrounding buildings in relation to the overall scale and character. Proposals should also protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. Due to the scale and prominence of the development detailed pre-application engagement took place and this included consideration and contributions from the Principal Design and Conservation Officer which helped to shape the submitted scheme.
- 7.34. The development is proposed to be generally 2 to 3 storeys across the site. The frontage to Norwich Road is 2.5 to 3 storeys with feature buildings at the entrance and fronting the

central plaza. Apartments are double aspect and accessed from communal semi-enclosed walkways to provide good levels of natural light and ventilation.

- 7.35. As noted above the proposed care home (Block C) primarily consists of three separate wings or 'houses' containing the bedrooms which radiate off a central spine. The adjacent flat roofed building accommodates the restaurant with a frontage to shared external space. The care home is orientated east-west to create a frontage onto the new road from Norwich Road and Block B, linking the home with the Extra Care apartments and the public realm within the site. The central 'street' running through the spine of the home provides access to communal and care facilities, while bedrooms are located within the 3 wings on a more typically domestic scale with predominantly pitched, plain tiled roofs and red facing brickwork.
- 7.36. The resident's bedrooms have been arranged with two goals in mind: to improve infection control and to promote a domestic character within the development. Within each 'house' 9 bedrooms per floor (18 per house) are proposed. This arrangement allows for each cluster of 9 bedrooms to be locked down independently in an infection scenario. Each house will have their own house lobby which will serve as a "front door" giving houses their own identity.
- 7.37. The aim has been to create an environment that is both stimulating and safe for residents and this is achieved through a design that is considered to be both interesting and contemporary. In terms of residents amenity, on the ground floor residents will have access to an attractively landscaped south facing courtyard a small woodland area which provides a pleasant outlook from bedrooms. At first floor level there are outdoor terraces on both the east and south elevations providing outdoor space for the residents.
- 7.38. The care home is set back from the road frontage well away from any residential properties along Norwich Road and Bungay Road Norwich Road frontage such that it will not have any adverse impact on these properties. It is considered that the design and appearance of the proposed care home is well thought out and will result in pleasant living environment for the residents and in this respect is considered to accord with Policy WLP8.29.
- 7.39. The proposed extra care apartments are applied for in outline form with all matters reserved for future determination and will therefore be subject to a future reserved matters application. However, the principle of development is established through the site allocation (Policy WLP4.1). On this basis the applicant has submitted development parameters and principles of design within a revised Design and Access Statement in order to fix certain aspects to guide any future reserved matters application and ensure a high quality design, should outline consent be granted.
- 7.40. The submitted parameter plans are:
- Movement and Access Parameter Plan
 - Mass and Scale Parameter Plan
 - Sustainable Drainage Parameter Plan
 - Landscape and Character Parameter Plan
 - Landscape and Character - Public Realm Parameter Plan
 - Landscape and Character - Semi-Private Spaces Parameter Plan

- Use Parameter Plan

- 7.41. An important consideration of this application will be ensuring there is good pedestrian and cycle connectivity to the adjacent sites and in this regard the Movement and Access Parameter Plan is a key plan. It shows the main and secondary access from Norwich Road and Bungay Road respectively and the layout of the internal access roads. Importantly it shows the existing pedestrian/cycle footpath along the southern boundary increased to 3m in width and linking into the adjacent proposed sports pitches site thereby providing good direct access to them. The plan also shows the pedestrian link to the Cutlers Hill surgery which, as mentioned above is considered essential to secure by the S106 Agreement.
- 7.42. An equally important consideration is the appearance of the proposed apartments particularly in view of the concerns expressed by local residents and the Town Council that they are not in keeping with the character with the area due to their height and overall scale. The Mass and Scale Parameter Plan, and indeed the proposed Master Plan, fixes in some detail the area and extent of development and the associated massing and scale. Building height has been carefully considered in response to the varied but predominantly 1 and 2 storey properties along Norwich Road. As noted above the frontage to Norwich Road is 2.5 to 3 storeys with a feature building at the entrance. Along the Norwich Road frontage the apartments are characterised by 2.5 storey gables with the 3 storey apartments set back from the main elevation. Much of the main elevation closest to Norwich Road comprises 2 storey apartments with balconies.
- 7.43. Officers have given detailed consideration to the scale and appearance of the apartments and the concerns of residents and the Town Council. Whilst these concerns are acknowledged officers are of the view that in principle it is appropriate to locate the apartments within this predominantly urban environment within the settlement limits of the town, and that within this urban context the Mass and Scale parameters will ensure that the apartments will not appear inappropriately located or out of keeping with the character of the surroundings. Furthermore, the interest and variety in the elevation to Norwich Road that is achieved through the use of gables, set backs, building height and variety of materials will help to break up the overall appearance of scale and massing of the apartments.
- 7.44. The level of detail set down in the Mass and Scale Parameter Plan and the Masterplan fixes in quite a specific way how the apartments have been designed which in turn will reduce the level of flexibility that will be able to be applied to any reserved matters application. Nevertheless, the applicant has expressed a willingness to proceed on this basis which provides confidence to officers that high quality design will be achieved in any future reserved matters application.
- 7.45. One of the main features of the Landscape and Character Parameter Plans is the communal pedestrianised plaza linking the care home, the Extra Care apartments and the shared communal facilities and defined by architectural design and hard and soft landscaping. As such the communal facilities will provide active frontages to the plaza. The aim to connect the buildings and create places for people to meet and sit outdoors is welcomed. Full details of the treatment of the plaza space can be secured by condition although the parameter plan indicates this will be an attractive and welcoming space for both residents and visitors alike.

- 7.46. A courtyard garden is situated in the centre of each apartment block providing outdoor amenity space. Each apartment would have either a small garden or balcony and there would be a further landscaped area of external amenity space to the north of block A which would also provide a buffer and privacy to the 2 adjacent residential properties. Full details of landscaping can be secured by condition. Within the context of an extra care development the amount of private and communal amenity space is considered acceptable.
- 7.47. Similarly, the landscape masterplan for the care home indicates attractive external space including footpaths, areas of seating, water features and raised planters.
- 7.48. Having considered the parameter plans for landscaping and sustainable drainage officers are satisfied that they set appropriate parameters for the site to guide detailed reserved matters proposals.
- 7.49. Lastly the Use Parameter Plan fixes areas of built development and therefore provides a level of confidence that the development can be accommodated satisfactorily within the site and be reflected in reserved matters proposals.

Heritage Considerations

- 7.50. The application is supported by a Heritage Impact Assessment. The Grade II listed Wisset House is located at the junction of Old Station Road and Norwich Road, some 50m north of the northern boundary of the site. Town Farm, also Grade II listed, is located to the east of the adjacent sports pitch application.
- 7.51. With regards to Wisset Place, officers agree with the conclusions of the HIA that although the proposed development will increase the existing suburban character surrounding Wisset Place, this will still be seen within the context of existing development and will have no impact on how the significance of the listed building is appreciated or understood. Similarly, owing to the orientation of Town Farmhouse and intervening vegetation screening, the visibility of the proposed development is considered to be negligible. The proposal will be seen within the context of existing suburban development on Norwich Road. As such it is considered that there will be no impact on the understanding or appreciating the significance of Town Farmhouse. As the proposed development does not have any impact on designated heritage assets, paragraph 202 of the NPPF is not engaged.

Drainage and Flooding

- 7.52. Policy WLP8.24 - Flood Risk, states, inter alia, that developments should use sustainable drainage systems to drain surface water. Sustainable drainage systems should be integrated into the landscaping scheme and the green infrastructure provision of the development and not detract from the design quality of the scheme. They should deliver water quality and aquatic biodiversity improvements wherever possible.
- 7.53. The site lies within Flood Zone 1 which has the lowest probability of a flood risk event occurring (less than 1 in 1000 annual probability). The submitted Flood Risk Assessment states that the surface water drainage strategy for the site has been developed using Sustainable Drainage System (SuDS) techniques.

- 7.54. The overall philosophy of SuDS is to replicate, as closely as possible, the natural drainage process of a site prior to development to mitigate the adverse effects of urban storm water runoff on the environment. SuDS provide the ability to manage surface water discharge rates and volumes but also improve water quality, ecology and amenity within the development.
- 7.55. It is proposed that the surface water will be stored and discharged at existing present-day greenfield runoff rate, whilst making an allowance for climate change. The drainage strategy will result in a reduction in peak runoff rates discharging from the site.
- 7.56. The Surface Water Drainage Strategy for the proposed development consists of:
- Permeable surfacing within car parking bays and the central plaza;
 - Rain gardens adjacent to car parking bays and within the central plaza;
 - Geocellular crate storage underneath the central plaza and unadopted highways;
 - A swale in the south of the site.
- 7.57. A series of pipes would then direct surface water to the existing ditch along the southern boundary of the site which the applicant has confirmed falls within their control. At the western end this ditch connects into the wider piped network in Bungay Road and Norwich Road. Anglian Water have indicated that a surface water connection into the sewer in Norwich Road would be acceptable
- 7.58. The proposed surface water drainage strategy has been scrutinised by Suffolk County Council as the Lead Local Flood Authority (LLFA) who recommend approval subject to conditions for both detailed element (care home) and outline elements (apartments) of the application.
- 7.59. It is therefore considered that the proposed surface water drainage strategy is generally in accordance with Policy WLP8.24 and can be supported, subject to conditions recommended by the LLFA.

Ecology and Biodiversity

- 7.60. Policy WLP8.34 - Biodiversity, sets out the approach to protecting and enhancing biodiversity within the former Waveney area of East Suffolk Council. The policy seeks to protect species and natural features found on sites and encourages the provision of features within developments which can support biodiversity and ecological networks. Such features could include roosting or nesting spots on trees and buildings for birds and bats, features which enable permeability for hedgehogs and water features such as ponds.
- 7.61. As described in the submitted Ecological Impact Assessment (EcIA), the site comprises predominantly managed amenity grass and hardstanding, with some ornamental scrub, plus native scrub and tree lined boundaries. The overall value of the site to wildlife is considered to be Lower at the Parish scale.
- 7.62. The site, and immediate surrounding areas, have been subject to numerous surveys by The Landscape Partnership and others since 2016, covering both the current site proposed for the Care Home campus and adjoining areas of land to the east and the south. All available data have been used to inform the EcIA.

- 7.63. Great crested newt is known to be present within the wider Halesworth area in low numbers however pond surveys have returned negative results for great crested newt within ponds closest to the development site.
- 7.64. Small populations of slow worm and common lizard have been recorded as present southeast of the site, in particular within the south-facing embankment at the northern end of the Dairy Hill sports pitches.
- 7.65. The site is likely to be used by common breeding bird species, both for nesting and foraging, with the scrub, tree and hedgerow habitats being of greatest value in this respect, although the EcIA considers the value of the site to breeding birds to be low.
- 7.66. With regards to bats, a number of trees along the western boundary are proposed for removal, coppicing or crown lifting as detailed within the Tree Impact Assessment accompanying the application. The majority of trees affected are small and immature and hence very unlikely to support features with the potential to be used by roosting bats. One early mature copper beech will be removed to allow construction of the Norwich Road access. This has been assessed as being generally too young to support features within its structure likely to be used by roosting bats. Similarly a white poplar that would be removed to form the entrance off Bungay Road has been assessed as too young to be used by roosting bats.
- 7.67. The Council's Ecologist has considered the EcIA and concurs with its conclusions. Subject to conditions to secure the ecological avoidance, mitigation, compensation and enhancement measures identified in the EIA and conditions to protect active birds nests and reptiles respectively, it can be concluded that the proposal will not have an adverse effect on wildlife and that the proposal will be compliant with Policy WLP8.24.
- 7.68. Trees that are proposed to be retained can be protected in accordance with the measures set down in the Tree Constraints, Tree Impact Assessment and Tree Protection Method Statement. The Council's Principal Landscape and Arboriculture Officer raises no objection to the application subject to additional landscaping in accordance with the Landscape masterplan and parameter plan which can be secured by condition. As the site is within the settlement boundary for Halesworth it is not considered that there will be any impact on wider rural landscape character.

Habitats Regulations Assessment (HRA)

- 7.69. Based on the development type and proximity to European designated sites, the Council, as the competent authority, has to make a judgement as to whether the development constitutes a 'likely significant effect' (LSE) to a European site in terms of increased recreational disturbance.
- 7.70. The application site is within 13km of the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC and the Benacre to Easton Bavents SPA.
- 7.71. Evidence collected as part of the preparation of the Suffolk Coast Recreation Disturbance and Mitigation Strategy (RAMS) has identified that all new residential type development in the district is contributing to an in-combination increase in recreational disturbance

impacts at European designated sites. Overall, this increase in recreational pressure is at risk of creating an adverse effect on the integrity of these sites. All new residential type developments are therefore required to deliver mitigation measures to address this impact, including by contributing to the strategic mitigation package which is being delivered as part of the Suffolk Coast RAMS.

- 7.72. Whilst it is not considered that the care home element of the proposal will give rise to increased recreational pressure on the identified European designated sites (due to the type of residents which will occupy it), the LPA considers that it cannot satisfactorily concluded that the extra care apartments element of the proposal will not give rise to increased recreational pressure on the identified sites (in combination with other residential type developments). This is because, whilst occupancy of the development does require the residents to be receiving some level of care, at the lower levels required to qualify it is not considered that this will be such that it precludes residents from undertaking recreational activities at European designated sites. Mitigation measures to address this must therefore be secured as part of this application.
- 7.73. In undertaking an appropriate assessment of the proposal, it is considered that the following mitigation measures are necessary:
- Provision of onsite open space, including formal garden areas and surfaced footpaths;
 - Connections to existing public rights of way (including Footpath 7), allowing for local circular walks; and
 - A financial contribution to the Suffolk Coast RAMS
- 7.74. Natural England have been consulted and have confirmed that they agree the above measures are necessary to mitigate the impact of the development on European sites. Subject to these, which can be secured through a section 106 agreement, it can be concluded that the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.

Noise

- 7.75. Policy WLP8.29 states, inter alia, that developments should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.76. The proposed apartment blocks will contain communal facilities on the ground floor including cafes, restaurants and bars that are likely to have extract ventilation and which can potentially be noisy and disturbing for occupiers of the proposed homes. The Environmental Protection Officer has recommended that the living accommodation should be protected from these potential noise sources and this can be secured by condition prior to commencement of any development.
- 7.77. Furthermore some of the units in apartment Block A will overlook the grass pitch. The acoustic report submitted for the adjacent sports pitch application states that, in addition to an acoustic barrier, the windows of this application that overlook the pitch will be designed to take into account noise associated with the use of the pitch. The

Environmental Protection Officer has advised that the details of these windows need to be agreed and this can be secured by the aforementioned condition.

- 7.78. The revised masterplan for the site indicates a 3m high acoustic fence along the boundary between apartment Block A and the grass pitch which is considered both appropriate and necessary. Full details of the acoustic fence can be secured by condition and installation and long term maintenance of this fence should be the responsibility of the care developer rather than the sports pitch provider.
- 7.79. It is considered that potential noise sources associated with the proposed development or noise from the adjacent sports pitch affecting the proposed development, can be mitigated by conditions as advised by the EPO, to ensure that the occupiers of the proposed living accommodation are not unduly disturbed.
- 7.80. Further consideration of the proposed acoustic fencing for the sports pitches is given in the report for application DC/21/0007/FUL.

Sustainable Construction

- 7.81. Policy WLP8.28 - Sustainable Construction states, inter alia, that proposals for major residential and commercial developments should demonstrate, where practical, that they have incorporated energy efficiency measures and renewable and low carbon energy generation and should achieve water efficiency of 110 litres/person/day. This is reflected in the NPPF paragraphs 155 and 156 which promote the use of renewable or low carbon energy when considering planning applications.
- 7.82. An Energy Strategy Report has been submitted which states:
The energy strategy for the development proposals has, at its core, the reduction of energy use through effective fabric energy efficiency measures and efficient services solutions. This report follows the strategy of 'Be Lean', 'Be Clean', 'Be Green'. The strategic approach to the design of the Proposed Development has been to reduce the need for energy prior to the consideration of integrating Low or Zero Carbon (LZC) technologies, since controlling demand is the most effective way of reducing energy consumption and CO2 emissions.
- 7.83. The overall recommendation is that a gas led system providing heating and hot water services with an array of air source heat pumps (ASHP) providing heating and cooling to high occupancy areas complimented by an array of photo-voltaic panels is the most viable and practical option of providing 10% site wide energy from LZCT.
- 7.84. A number of passive design and energy efficiency measures would be incorporated, including minimising the ratio of glass to external walls in north facing elevations, optimising solar gain and use of thermal insulation to reduce the demand for heating.
- 7.85. The report acknowledges that in the absence of a fully developed design the assessments are based on preliminary information and is intended to outline the feasibility of incorporating LZC technologies. Nevertheless it is considered that the report provides sufficient reassurance of a strong commitment to high levels of sustainable development as required by Policy WLP8.28. In particular photovoltaics are identified as being appropriate for installation. Notwithstanding this it is considered that further details of

photovoltaic provision and water efficiency measures (to meet 110 litres/person/day) are required and can be secured by condition.

Loss of part of playing field and continuity of sports facilities

7.86. This application relates to the partial loss of the Halesworth Middle School playing fields which have been maintained to an extent since the closure of the middle school and used mostly in recent years for midweek training by Southwold Rugby Club, who use portable floodlights during the winter months. Irrespective of the level of recent use, the quantum of pitch space on the site is relevant to considerations in respect of the loss of this asset and its replacement. For this reason, there has been close engagement through the application process with Sports England, the Rugby Football Union (RFU) and the Suffolk branch of the Football Association (FA). At the same time as this, the Council has been working with consultants to produce an up-to-date East Suffolk Leisure Strategy, which has comprehensively considered all sports and leisure facilities and needs across the district, including engagement with clubs, organisations and communities. That has not yet been published but the consultants have also been involved in relevant sports meetings related to this application and have factored proposals into their work. It may be possible to provide extracts of that work in the update sheet.

7.87. Sport England are a statutory consultee who have considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

7.88. Sport England have considered the application against exception 4 of their policy, which states:

'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.'

7.89. Sport England have assessed the application to determine whether the proposals meet exception 4. Sport England have commented as follows:

The playing fields have been used in recent years for midweek training by Southwold Rugby Club, who use portable floodlights during the winter months.

The playing field measures approximately 2.8 hectares, of which 0.89 hectares will be retained, resulting in a loss of approximately 1.9 hectares. To compensate for this loss, a new playing field of approximately 2.4 hectares will be provided on agricultural land adjacent to the existing playing fields to the south (as proposed by application DC/21/0007/FUL).

From a qualitative perspective, the new facilities will offer improved quality facilities, compared to the existing playing fields, with the potential for local football clubs and Southwold Rugby Club to access the new 3G facility for matches and training. There is also local demand for new tennis and netball facilities.

The new facilities will be managed by Sentinel Leisure on behalf of the trust, bringing local expertise and experience to this requirement.

From a locational perspective, the new facilities meet this requirement as they are in close proximity to the playing field to be lost, and will result in a new sports hub to serve local clubs and local people who wish to participate in a more informal way.

The new 3G facility will be provided prior to the loss of part of the existing playing field, which will allow Southwold Rugby Club to continue using the existing playing field for the next two years, until the 3G pitch is complete and ready for use. The rugby club have raised some issues with regard to how their interests will be met, which have been raised on the application for the new sports facilities.

It is considered that, on balance, the loss of part of the playing field can be justified under exception 4 of our playing fields policy, and conditions will need to be imposed on planning application ref: DC/21/0007/FUL to ensure the new facilities satisfy exception 4 with regards to quantity, quality, management arrangements etc.

- 7.90. In view of the above Sport England do not object to this application subject to a condition that the replacement playing field being provided by application DC/21/0007/FUL is provided prior to the loss of part of the playing field associated with this development.
- 7.91. As Sport England recognise the existing playing field will continue to remain available for use whilst the 3G pitch is being completed and whilst the care home is being constructed. The care home affects only a relatively small part of the playing field (although the access road does bisect it) and will be built before the apartment blocks A and B as these are subject to a future reserved matters application. In order to ensure existing users of the field are able to continue using it whilst the 3G pitch is being completed, the applicant has agreed to provide a licence to Halesworth Campus to allow the site of apartment block A to continue being used for playing pitches for a minimum of 12 months. In addition to the licence, the phasing conditions imposed on this consent can control any works taking place on the Block B area until alternative pitch provision has been made available.
- 7.92. A phasing plan for the site has also been submitted which shows the sequence of development across the site as follows:

- Phase 1 – Install new boundary fence adjacent to access road off Norwich Road to secure site. Existing football pitch to north to remain operational until completion of care home; establish building contractors site offices; form new site access from Norwich Road and Bungay Road and form all access roads within phase boundary; internal access roads; install all below ground water attenuation crates, swale and connection to existing ditch to south west corner of the site; construct care home and complete associate hard and soft landscaping; widen existing cycle/footpath along southern boundary, extending to south east to connect to adjacent Campus development.
- Phase 2 – Decommission existing football pitch and erect new boundary fences to secure construction site; form access roads; construct extra care apartments and amenity facilities within Block A.
- Phase 3 – Decommission/reconfigure contractors site welfare/compound; construct extra care apartments and amenity facilities within Block B; complete hard and soft landscaping.
- Phase 4 – Establish contractors site welfare/compound; construct Block D; complete associated hard and soft landscaping.

7.93. In addition to this the Planning Statement for the sports pitch application states:

There is currently the equivalent of a full-sized pitch marked out to the north of the site to support training use.

There are fixed rugby posts in place and portable football goals available to support the training sessions. This use can continue during the construction period of the 3G pitch and due to the timeline development of the assisted living/extra care apartments there will not need to be any changes until the 3G is ready for use.

However, should the grass pitch on site not be available for any reason, the training ground can be relocated over to the Eastern field behind the Skills centre. An Agronomist Report has been carried out (and included in this planning submission). The report recommendations would be implemented to bring the field up to standard, should it be required, and the field transformed into a temporary pitch.

7.94. The use of land behind the Skills centre is undesirable and is not factored into the current funding approach to delivery of the 3G pitch and enhanced grass pitch. Based on the approach to phasing the use of that area should not be necessary. That area remains open to redevelopment based on the allocation and it may be necessary to secure value from that land for later phases of sports development. The phasing plan ensures that the existing pitch will remain in operation during the construction of the care home (Phase 1) and can be the subject of an appropriately worded condition. In addition, it is considered necessary impose a condition that prevents any construction of the extra living apartments until the new grass pitch has been completed. This enables control to be retained over the timing of the provision of the new grass pitch.

- 7.95. Subject to appropriately worded conditions being applied to both this application and DC/21/0007/FUL it is considered that there are sufficient controls in place to ensure the proposals satisfy exception 4 of Sport England's playing fields policy.

Primary Healthcare considerations/Community Infrastructure Levy

- 7.96. Developments which fall within Use Class C2 (Residential Institutions) are not subject to the Community Infrastructure Levy whereas general housing is. The Infrastructure and Delivery Framework (IDF) contained in the Local Plan sets out in detail all of the infrastructure required to support the housing growth during the plan period. Within Halesworth the Health requirements have been identified as 94 sqm of clinical floorspace with an approximate cost of £207,776 to be funded through the Community Infrastructure Levy.
- 7.97. The Norfolk and Waveney Clinical Commissioning Group has advised that the proposal will include people with increased health and care needs that would place further demand on the general medical services operating from Cutlers Hill Surgery which at present has no additional registration capacity and already has more patients than would be expected for the size of their premises. Therefore, the proposal would give rise to a need for improvements to capacity within primary care by way of extension and internal development of the practice.
- 7.98. As the health requirements within the IDF are reflective of housing growth they do not capture the increased health needs from this application. It was not clear at Local Plan stage whether the extra care development would be C3 (CIL generating) development or C2 (reliant on s106 funding). Therefore, an additional developer contribution will be likely in order to mitigate the impact of the development, and to support the extension and improvements to Cutlers Hill Surgery.
- 7.99. Further discussions with the CCG are ongoing establish the additional developer contribution required to mitigate the impact of this (and other) development. This involves assessing a number of funding scenarios due to the planned and unplanned developments currently under consideration. Any contribution will be secured in a Section 106 agreement. East Suffolk CIL and S106 officers have emphasized in meetings with the CCG that if the Doctors Surgery and CCG can present a deliverable surgery expansion project then it would be at the top of the list in priorities for CIL funding based on the IDF/IFS and the CIL Spending Strategy.

Public Benefits of the Proposed Development

- 7.100. The proposed development will deliver a number of public benefits including:
- A 54 bed care home and 100 extra living apartments in a sustainable location as part of the plan-led approach to growth in Halesworth;
 - Enabling the provision of improved sporting facilities within the town;
 - Creation of a new footpath providing a direct link from the development to Cutlers Hill Surgery;
 - Economic benefit in the short-to-medium term through creation of jobs in the construction industry;

- Long term benefit to facilities/services in Halesworth from new resident spend in the economy;
- Cycle/footway links to adjoining sites;
- Footway improvements along Bungay Road.

8. Conclusion

- 8.1. The proposal is acceptable in principle as the site is allocated for development by local plan Policy WLP4.1. The development is therefore sustainably located and will deliver the health care and retirement community aspects of the policy and by doing so will help enable the first phase of improved sporting facilities for Halesworth also proposed by WLP4.1. This is a significant benefit of the scheme along with the other benefits as set out above. The proposal therefore accords with the plan-led approach to growth in the Halesworth area.
- 8.2. This hybrid application consists of two main elements. There is the full application for the care home and the outline application for the extra living apartments. The design and appearance of the care home is considered acceptable and can be accommodated on the site satisfactorily without detriment to the amenities of nearby properties.
- 8.3. The outline application for the apartments is supported by design parameters that will fix certain elements of the design approach in order to guide any future reserved matters applications. Officers are confident that the design parameters provide an assurance that it is possible to accommodate this number of units on the site in a manner that respects the urban context of the site and its surroundings as required by Policy WLP8.29.
- 8.4. It is acknowledged that the proposal will result in a considerable change to the existing character and appearance of the site and that it is not supported by some local residents and the Town Council. The concerns raised have been given due consideration by officers but do not, in the balance, indicate that planning permission be refused. Many of the matters raised can be addressed either through appropriate planning conditions or proper consideration of detailed design at reserved matters stage. Many representations raised run contrary to established principles for the redevelopment of the site established in the Local Plan.
- 8.5. The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework (2021) and the Development Plan as a whole. There are no significant, or unacceptable environmental impacts arising from the proposals. There are also substantial public benefits that would otherwise justify approval as detailed above. No material considerations have presented themselves in the process of the determination of this application which would cause the need for a decision contrary to Development Plan and the allocation policy underpinning this development.

9. Recommendation

- 9.1. Authority to APPROVE with the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Standard care package including minimum personal care requirements (primary residents of the assisted living units).
- A financial contribution towards primary healthcare expansion, the amount to be confirmed by Norfolk and Waveney CCG
- Public Right of Way creation funding for a footpath link to Cutlers Hill Surgery
- Per extra living unit contribution to the Suffolk RAMS
- licence to Halesworth Campus to allow the site of apartment block A to continue being used for playing pitches for a minimum of 12 months.

9.2 If the S106 is not completed within 6 months authority to REFUSE the application.

9.3 **Conditions:**

1. The development hereby permitted through the full application 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. In respect of the outline planning permission hereby approved approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") and measures to minimise water and energy consumption shall be obtained from the local planning authority in writing before any development is commenced. Development shall be carried out as approved.

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

3. The development subject of the outline planning permission hereby approved shall be begun within the time limits specified in Condition 4 and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

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

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

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

5. The submission of reserved matters applications pursuant to the outline application shall demonstrate substantial compliance with the Movement and Access Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1010); Mass and Scale Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1011); Landscape and Character Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1013); Landscape and Character Parameter Plan - Public Realm (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1014); Landscape and Character Parameter Plan - Semi-Private

Spaces (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1015) and Use Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) contained within the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

Reason: In order to secure high-quality design it is essential to establish development parameters to guide future reserved matters application, in accordance with the design and objectives of Local Plan policy WLP8.29 (Design).

6. Pursuant to the Use Parameter plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) the submission of reserved matters applications shall demonstrate substantial compliance with the Accommodation Schedule set down in Table 1 of the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

Reason: For the avoidance of doubt and to ensure the inclusion of communal facilities within reserved matters submissions.

7. Prior to the first operation of the care home the existing pedestrian / cycle footpath along the southern boundary of the site shall be increased to 3m wide up to the boundary of the adjacent Halesworth Campus site (application DC/21/0007/FUL) as shown on the Movement and Access Parameter Plan; in accordance with details previously agreed in writing by the local planning authority.

Reason: Connectivity between the site and the adjacent site is a critical element of Policy WLP4.1 Halesworth/Holton Healthy Neighbourhood. In order to ensure the delivery of this pedestrian connection the route must be improved at an early stage of the development.

8. The development shall be carried out generally in accordance with the Proposed Masterplans (Drwg. Nos. 9363-FM-ZZ-00-DR-A-1001-04 and 9363-FM-ZZ-00-DR-A-1000-08 received 16 August 2021.

Reason: To secure a properly planned development.

9. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans received on 19 January 2021 (unless stated otherwise), 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.

9363-FM-ZZ-00-DR-A-0110-01 - Existing Site Plan, received 16 August 2021;

9363-FM-CH-GF-DR-A-2000-P05 - Ground Floor Layout;

9363-FM-CH-01-DR-A-2001-P05 - First Floor Layout;

9363-FM-CH-02-DR-A-2002-P01 - Second Floor (Attic) Layout;

9363-FM-CH-RF-DR-A-2003-P01 - Roof Plan;

9363-FM-CH-ZZ-DR-A-1300-P01 - Sections - Sheet 1;

9363-FM-CH-ZZ-DR-A-1301-P01 - Sections - Sheet 2;

9363-FM-CH-ZZ-DR-A-1400-P02 - West and East Elevations;

9363-FM-CH-ZZ-DR-A-1401-P01 - Typical House Elevations;

9363-FM-CH-ZZ-DR-A-1402-P01 - South Elevations;

9363-FM-CH-ZZ-DR-A-1403-P01 - North Elevations;
9363-FM-CH-ZZ-DR-A-1404-P01 - Northern Courtyard Elevations;
HALSTRP-Nov20 Tree Retention and Protection Plan, received 5 January 2021
HALESRPA-Nov20 Root Protection Areas Plan, received 5 January 2021 and
JN1082-Dwg-0016D and JN1082-Dwg-0019B, received 15 December 2021

Reason: To secure a properly planned development.

10. The development shall be implemented in accordance with the site wide phasing plan Drwg. No. 9363-FM-ZZ-00-DR-A-1002-01 received.

Reason: To ensure that key elements of the approved development are delivered at the right time in the interests of securing a sustainable form of development.

11. Samples of all external facing and roofing materials of the care home shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved samples.

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

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works 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. Landscaping proposals should be based on the Landscape Masterplans.

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

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory

14. The grass playing field proposed under application DC/21/0007/FUL shall be implemented in full in accordance with the approved plans prior to any development of the extra living apartments hereby approved.

Reason: To ensure replacement playing field is provided in order to satisfy exception 4 of Sport England's playing fields policy and NPPF Para 99.

15. No development shall take place until a scheme for the installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of any buildings to which they relate.

Reason: In the interests of fire safety.

16. 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

17. 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 15 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 Strategic Priority 3

and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

18. Prior to commencement of development of the care home and blocks A, B and D a noise assessment for each building should be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Reason: In the interests of amenity.

19. Prior to commencement of development of Blocks A, B and D a sound attenuation scheme including acoustic fencing, aimed at protecting the proposed residential properties from noise from the adjacent sports pitches and ventilation units at the nearby skills academy shall be submitted to the Local Planning Authority in writing. Only an approved scheme shall be implemented and retained thereafter.

Reason: In the interests of amenity.

20. Development of any building shall not commence until a Construction Method Statement for that building has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- 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 including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interest of local amenity and protection of the local environment during construction.

21. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EcIA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

23. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020), shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

24. If the Reserved Matters application for the Outline element of the development hereby approved is not within 2 years from the date of the planning consent, the approved ecological measures secured through Condition 20 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted as part of the relevant Reserved Matters application. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

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

a) 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.

26. 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.

27. Prior to any occupation or use of the approved development the RMS approved under condition 2 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.

28. 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.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including 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.

30. Prior to commencement of development full details of photo-voltaic panels and measures to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a sustainable form of development.

31. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in broad accordance with drawing nos. JN1082-Dwg-0016D & JN1082-Dwg-0019B. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

32. All internal footways and cycleways shall be laid out according to drawing no. 9363-FM-ZZ-00-DR-A-1000-08

Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site and meet NPPF and LTN 1/20.

33. The use shall not commence until the area(s) within the site shown on drawing no. 9363-FM-ZZ-00-DR-A-1000-08 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

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

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.

35. Before any building is constructed above ground floor slab level details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

36. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:
- a) parking and turning for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) piling techniques (if applicable)
 - d) storage of plant and materials
 - e) provision and use of wheel washing facilities
 - f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
 - g) site working and delivery times
 - h) a communications plan to inform local residents of the program of works
 - i) provision of boundary hoarding and lighting
 - j) details of proposed means of dust suppression
 - k) details of measures to prevent mud from vehicles leaving the site during construction
 - l) haul routes for construction traffic on the highway network and
 - m) monitoring and review mechanisms.
 - n) Details of deliveries times to the site during construction phase

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

37. Outline:
1. 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 (LPA). The scheme shall be in accordance with the approved FRA and include:
 - a. Dimensioned plans and drawings of the surface water drainage scheme;

- b. Modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Qbar 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;
- c. 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;
- d. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- e. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- f. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

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

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

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

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as

required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk

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

39. Full:

No development shall commence 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 (LPA).

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

40. No development shall commence 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 LPA. 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.

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

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

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

42. No development 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 (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
i. Temporary drainage systems

- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

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

Informatives:

1. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.
Further details on our advisory services and charges can be found on our website:
<http://www.suffolk.gov.uk/archaeology/>
2. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.
Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.
The County Council must be contacted on Tel: 0345 606 6171.
For further information go to:
<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
County Council drawings DM01 - DM14 are available from:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.
3. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.
The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.
The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council

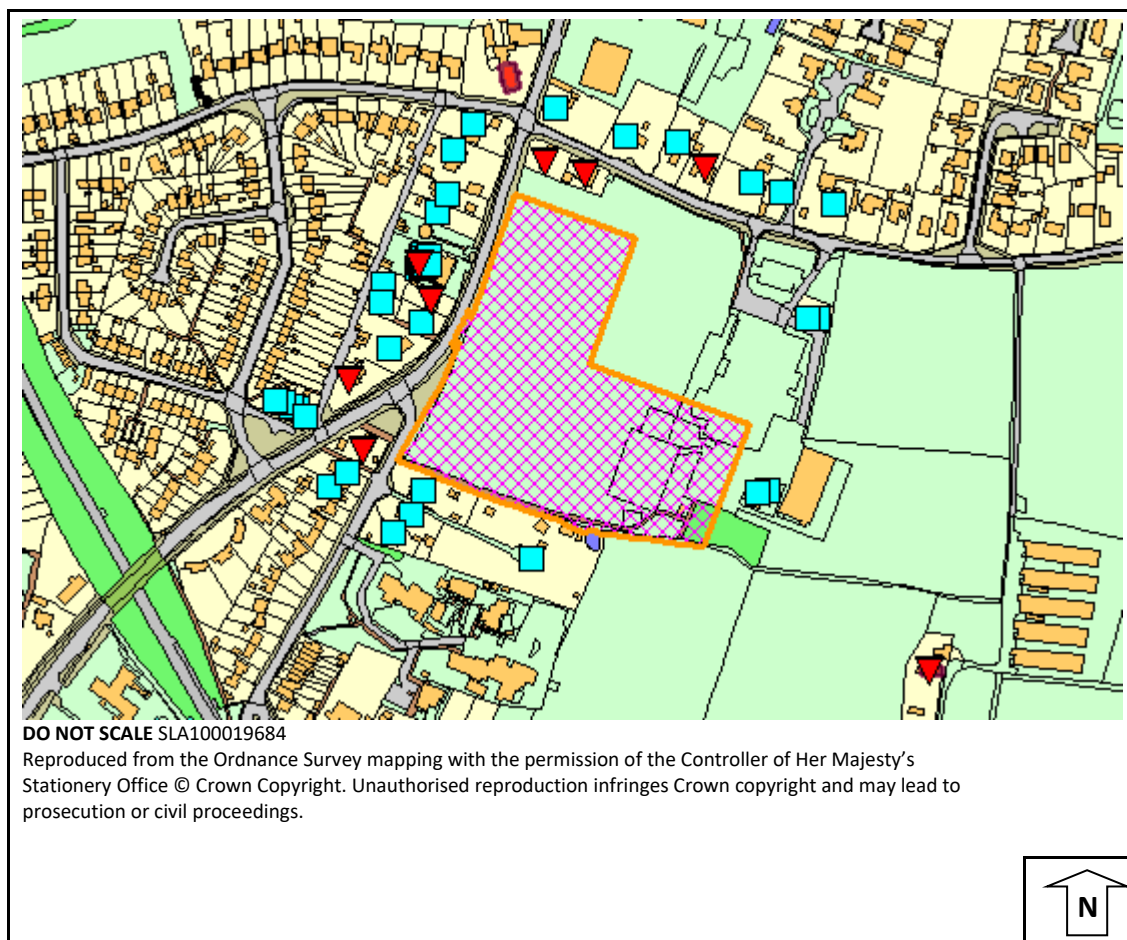
regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

4. 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.
5. This permission is subject to the completion of a Section 106 legal agreement.
6. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
7.
 - Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
 - Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
 - Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
 - Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act





Background information

See application reference DC/21/0027/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/0007/FUL

Location

North Suffolk Skills Academy
Harrisons Lane
Halesworth
Suffolk
IP19 8PY

Expiry date 13 April 2021

Application type Full Application

Applicant CBW Design Ltd

Parish Halesworth

Proposal Change of use to sports facilities comprising new grass football pitch adjacent to Harrisons Lane and construction of a new artificial football pitch with associated parking, access, lighting, acoustic fencing and drainage adjacent to the Apollo Youth Centre and adjacent field to the south.

Case Officer Phil Perkin – Principal Planner (Major Projects)
(01502) 523073
philip.perkin@eastsoffolk.gov.uk

1. Summary

- 1.1. The application seeks consent for outdoor sports facilities on the former Halesworth Middle School site and agricultural land to the south. It comprises a new grass playing pitch and a new artificial 3G pitch with associated parking, access, lighting, pedestrian/cycle routes and drainage, on 4.59 hectares of land to the south of Harrisons Lane, Halesworth.
- 1.2. The site forms part of the allocation in the East Suffolk Council Waveney Local Plan 2019, for the Halesworth/Holton Healthy Neighbourhood (Policy WLP4.1), a comprehensive redevelopment to provide housing, health care facilities, retirement community and indoor and outdoor sports facilities on the former Middle School site and adjacent land. This

application must be read alongside DC/21/0027/FUL also presented to this Planning Committee meeting for consideration. The two applications are mutually dependent on each other.

- 1.3. The application does not include details of any indoor sports facilities which will need to be dealt with as a separate planning application when plans for that aspect of the applicant's vision for the site are completed. It also does not cover consent for the demolition of the Apollo Youth Centre or its replacement. The replacement of that facility is an expectation of the allocation policy, but it needs to be planned and the implementation and use of the current proposal do not prejudice the continued use of that facility.

The Case for Development

- 1.4. The site forms part of the Halesworth/Holton Healthy Neighbourhood under Policy WLP4.1 of the East Suffolk Council Waveney Local Plan (March 2019) which allocates 22.05ha of land comprising the former Halesworth Middle School site, North Suffolk Skills Centre and land to the south, for a comprehensive mixed use development comprising:
- Residential development (approximately 215 dwellings);
 - Health Care Facility and Retirement Community;
 - Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities and
 - Education/Training Facility.
- 1.5. This application seeks consent for the playing pitch and 3G pitch element of the Halesworth/Holton Healthy Neighbourhood. The principle of sports pitch provision on the site is therefore established and the application will help deliver the vision of the Halesworth Campus and Halesworth Health to provide additional sporting and health facilities in the town. The plans of these organisations will help promote healthier lifestyles for new residents and existing residents alike. In terms of wider use and needs it should be acknowledged that these will also serve over 600 homes under construction and coming forward for development over the next 5+ years, as set out in the Local Plan.
- 1.6. Officers have worked closely with the applicant to ensure the proposal will provide good pedestrian/cycle connectivity to adjacent sites to ensure the sports facilities will be accessible to both existing and future residents. Overall, the land areas, nature and quantum of development accords with Policy WLP4.1 and its indicative masterplan. A previous outline planning permission for 190 homes (DC/18/4947/OUT) east of this site off Harrison's Lane was consented in 2019 and also forms a fundamental part of the allocation, specifically through the provision of land for the 3G pitch and future sports and leisure development in the southern part of the allocation.
- 1.7. The principle of outdoor sports pitches on the site is accepted and the proposal is in accordance with the Local Plan allocation. Whilst the application has raised a number of issues and concerns as set down in this report, it is considered that subject to appropriate controlling conditions, these can be satisfactorily mitigated.

Reason for Committee

- 1.8. This application is referred to the Planning Committee at the discretion of the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest and significance of the scheme.

- 1.9. Members will note that there is a separate application (reference DC/21/0027/FUL) on the Agenda for consideration by this Planning Committee. This application seeks consent for a care home and extra care apartments on the adjacent site to the west (former Middle School). It too forms part of the Halesworth/Holton Healthy Neighbourhood allocation and, if approved, will help enable the delivery of the sports pitches proposed in this application.

Recommendation

- 1.10. Officers are seeking authority to approve the application with conditions, subject to completion of a Section 106 Agreement to ensure the timely provision of the sports pitches on the site (in order to off-set the pitches that will be lost due to the redevelopment of the former Halesworth Middle School Site (proposed by application DC/21/0027) thereby ensuring continuity of sports pitch provision.

2. Site description

- 2.1. The site extends to approximately 4.59ha of land on the south side of Harrisons Lane. The northern part of the site comprises of part of the former Halesworth Middle School playing fields along the Harrisons Lane frontage together with the former school entrance/exit points on Harrisons Lane. The central part of the site comprises mainly of the site of the former school buildings themselves whilst the southern part of the site comprises the agricultural field between the Dairy Hill Playing Fields to the west and Loam Pit Lane to the east. Adjacent to the central part of the site is the North Suffolk Skills Centre and adjacent to the eastern boundary in the southern part of the site is a residential property, Town Farm, a Grade II listed building accessed from Loam Pit Lane. Beyond the southernmost part of the site are more residential properties also accessed from Loam Pit Lane.
- 2.2. On the north side of Harrisons Lane opposite the site, are detached residential properties. There are two residential properties to the south of Harrisons Lane close to the junction with Norwich Road. The land to the east of the site and south of Harrisons Lane has outline planning consent for 190 houses (Ref. DC/18/4947/OUT).
- 2.3. The northern and central parts of the site are generally level. The southern part of the site comprising the agricultural field slopes from north to south with a level difference of some 6m.
- 2.4. Within the site is a small group of semi mature trees to the south of the site of the former school buildings and there is a small area of planted scrub vegetation to the east of the tennis courts. Along the Harrison Road frontage and along part of the eastern boundary is a mature hedgerow interspersed with trees.
- 2.5. Public Footpath 7 runs along Loam Pit Lane adjacent to the agricultural field in the southern part of the site and there is an existing foot/cycle path leading from Bungay Road to the former school site, along the southern boundary of the adjacent site.
- 2.6. The site forms part of the Halesworth/Holton Healthy Neighbourhood under Policy WLP4.1 of the Waveney Local Plan which allocates 22.05 hectares for a comprehensive mixed use development comprising:
- Approximately 215 dwellings;
 - Health Care Facility and Retirement Community (approximately 2.3 hectares);

- Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities (approximately 8.6 hectares); and
- Education/Training Facility.

3. Proposal

- 3.1. This application relates to the first phase of a development bringing much needed new sports and recreation facilities to Halesworth and surrounding parishes proposed by Local Plan Policy WLP4.1 (Halesworth/Holton Healthy Neighbourhood).
- 3.2. The first phase of the development will include:
 1. Diversion of electrical power cables;
 2. A full sized, floodlit, all-weather (3G) pitch suitable for football match play for all ages and rugby training
 3. A full sized, floodlit Rugby, floodlit grass pitch which will be a multi-use area when possible
 4. Drainage and external infrastructure for the pitches
 5. Access and parking arrangements
 6. [If required] An interim grass pitch behind The Skills Centre, as a back-up, to ensure continuity of use for existing clubs.
- 3.3. Further elements of Policy WLP4.1, including indoor sports facilities and the replacement of the Apollo Youth Club are not included in this application but will be subject to future applications as and when funding is available.
- 3.4. The full sized grass pitch is proposed on the existing school playing field fronting Harrisons Lane and full size all-weather floodlit (3G) pitch on the field to the east of Halesworth Town Football Club, adjacent to Town Farm at the end of Loam Pit Lane. This pitch will be fully fenced in with 4.5m high anti-climb fencing, with spectator and team seating provided.
- 3.5. The land on which the 3G pitch is proposed currently slopes with a height difference of approximately 6m between the low point in the south up to the northern part of the site. Cut and fill will therefore be necessary in order to level the site as will diversion of the electrical power cables.
- 3.6. Vehicular access is proposed from Harrisons Lane. The submitted layout plan shows 117 car parking spaces on the site of the former school building to the east of the grass pitch, including 4 disabled spaces, and 24 covered cycle stands. A further 51 car parking spaces including electric vehicle charging points and 4 disabled spaces, and 24 covered cycle stands, are proposed adjacent to the 3G pitch.
- 3.7. The planning application is supported by the following documents:
 - Planning, Design and Access Statement
 - Transport Assessment
 - Flood Risk Assessment
 - Built Heritage Statement
 - Archaeological Report
 - Preliminary Ecological Appraisal
 - Contaminated Land Assessment

- Noise Assessment

- 3.8. The originally submitted application has been amended to address comments made during the consultation period. The revisions include a single point of access from Harrisons Lane. The existing eastern most access on Harrisons Lane is proposed to be widened to provide 2 way vehicular entry/exit. The existing western vehicular and pedestrian access is proposed to be closed off.
- 3.9. The revised access enables the grass pitch to be increased in size to accommodate a full size rugby pitch with run-offs. Further amendments to the proposed grass pitch include the provision of floodlighting, acoustic fencing and ball stop fencing/netting. Revisions to the 3G pitch include relocating the proposed acoustic fencing away from the boundary with the listed Town Farm.
- 3.10. A new pedestrian/cycle route is proposed to run through the site from the site entrance on Harrisons Lane. This route will connect into pedestrian/cycle routes to be created on the adjoining sites, including a new public right of way to the Cutlers Hill Surgery.
- 3.11. A site for an indoor sports building and pool (to be subject of a future planning application) is shown immediately north of the 3G pitch and multi-use game area courts are shown immediately to the east (also subject to a future planning application). The Apollo Youth Club is shown as remaining, with its redevelopment subject to a future planning application. A potential site for a new youth club is shown to the north of its current location but this has no influence on any future proposals to determine the continued provision of the youth club facility. The Town Council has recently initiated an intention to set up a working group to address long term future needs for the town.

4. Consultations/comments

- 4.1. Thirty four objections have been received from local residents raising the following matters (inter alia):
 - Environmental concerns regarding the use of a plastic artificial pitch due to the leaching of micro-plastics into the environment and ground waters (and eventually to the sea) and potential dangers from the toxic components in the rubber crumb
 - Overdevelopment of the site
 - Highway safety concerns due to additional traffic generation along Harrisons Lane and at its junction with Norwich Road
 - Harmful effect on the character and appearance of the landscape including from floodlighting and fencing
 - Inappropriate development in this part of the town, not in keeping with the surroundings
 - The proposed sports building is inappropriately located and at 4 storeys high, a dominating feature
 - Harmful to the setting of the listed building, Town Farm
 - Loss of outlook and view
 - Drainage and flooding concerns, including along Loam Pit Lane
 - Inadequate public consultation on the proposals
 - No details of changing and toilet facilities
 - Operating hours will cause noise and light pollution

- Loss of local identity and character compounded by other large developments in Halesworth
- Loss of green space and hedgerows
- Harmful to natural habitats and wildlife
- Inappropriately located adjacent to a care home and retirement living complex
- Fear of crime
- Loam Pit Lane is unsuitable for additional use
- Disruption during construction
- No guarantee that other aspects of the sports proposals will be forthcoming

4.2. Eight representations in support of the application have been received from local residents raising the following matters (inter alia):

- Halesworth would benefit from new sports facilities and will encourage sporting activities
- There is little in the town to occupy younger adults and teenagers
- At a time when more people are moving to the town it would be good to have more space for leisure activities
- Benefits for both physical and mental health
- In favour but object to artificial pitches
- The town needs more like this for the younger generation

4.3. Revised details were submitted to address comments made during the initial consultation period and were subject to a further period of consultation. Five representations have been received raising the following matters (inter alia):

- Noise pollution for occupants of properties adjoining the site
- The inappropriateness of the close proximity to proposed elderly accommodation and Town Farm
- Cyclists should have priority on Harrisons Lane
- There should be a cyclists entrance from Harrisons Lane direct to the cycle storage
- Hedging along Harrisons Lane should be protected
- Hours of operation should be restricted
- The amended plans do not address the ecological impacts micro-plastic run-off
- Potential of flooding drainage related problems affecting properties on Loam Pit Lane
- Loss of green space and space for nature
- Floodlighting affecting residential amenity

4.4 One representation supports the application but would like to know about the swimming pool.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Halesworth Town Council	22 January 2021	11 February 2021
Summary of comments:		

Extract from Halesworth Town Council's Extraordinary meeting on the 8th February, 2021. The decision was that the application is DEFERRED pending more information as noted below.

b) Ref. No: DC/21/0007/FUL Change of use to sports facilities comprising new grass football pitch adjacent to Harrisons Lane and construction of a new artificial football pitch with associated parking, access, lighting and drainage adjacent to the Apollo Youth Centre and adjacent field to the south Planning Application North Suffolk Skills Academy Harrisons Lane Halesworth Suffolk IP19 8PY

The Council considered the public comments at the meeting and online and whilst discussing the application it emerged that there were two main issues that required a clear understanding and further information.

Firstly there were concerns about the materials used to construct an artificial pitch, whether this was appropriate and necessary in these times of increased awareness of the damage caused by these materials to the environment, to wildlife and to human health. This concern was echoed online and at the meeting by members of the public.

Secondly, councillors were concerned by the control and management of the surface water of the whole site and in particular from the 3G pitch. Cllr Thomas informed the Council that surface water running down Loam Pit Lane is already a serious problem during prolonged rainfall. The planned area to be covered with hard and semi-permeable surface will only make matters worse unless measures are imposed which will effectively remove the risk of surface water flooding. Cllr Allen advised the Council that the pitch was semi-porous so it should not have a significant effect. However, this also brought to light questions of how the surface water management would deal with microfibers from the pitch.

Cllr Lewis drew attention to the uncertainty of the Apollo Youth Club's future as the site was further developed, these facilities would potentially be lost.

Whilst many councillors stated they would like to support the application in principle, these two issues in particular had made it very difficult to make a decision in such a short period of time. The Clerk confirmed that at the present time East Suffolk Council's deadline to submit the Town Council's decision was on Thursday.

It was agreed by all that the deadlines imposed were completely unreasonable in the current circumstances. The Council agreed that it would like these issues to be further investigated before making a decision, despite these deadlines. It was then RESOLVED that the Council DEFERS the decision on the application DC/21/0007/FUL pending further information and investigation from Campus and East Suffolk Council on the 3G pitch and surface water management. A delay would enable further public consultation to take place so that the Council and residents will be able to make informed decisions on this planning application which is not the case currently.

Concern was also expressed about the road width from the access road to the sports centre eastwards to the junction of Harrisons Lane with Fair View Road. There are proposals to widen Harrisons Lane westwards to Norwich Road but it is not clear if the rest of Harrisons Lane to Fairview Road will also be widened. This stretch of Harrisons Lane narrows as it goes down the hill to meet Fairview Road. It is anticipated that significant traffic will choose this route to and from the sports centre.

In practical terms this decision will require East Suffolk Council to defer the application as HTC does not have the power so to do. However, Ben Woolnough, Major Sites and Infrastructure Manager for East Suffolk Council, was also present at the meeting and informed the Council that he would relay this request to Phil Perkin, Principal Planner and case officer for this application.

The draft minutes of the meeting will be available from the Town Council's website <https://halesworthtowncouncil.org.uk/the-council/past-meeting-minutes/>

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	22 January 2021	29 January 2021

Summary of comments:

Holding objection. Whilst the proposal is acceptable in principle, details of the access and in particular sustainable links to the site require further information.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 January 2021	16 February 2021

Summary of comments:

We are recommending a holding objection because further information is required.

Consultee	Date consulted	Date reply received
Sport England	22 January 2021	25 March 2021

Summary of comments:

Sport England does not wish to raise an objection to the principle of this application as it is considered to meet, exception 4 of the above policy, subject to further consideration of the issues raised by the rugby club/RFU and subject to conditions.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	22 February 2021	No response

Summary of comments:

No response.

Non statutory consultees

Consultee	Date consulted	Date reply received
Norfolk And Waveney NHS CCG	31 August 2021	No response

Summary of comments: No response.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 January 2021	5 March 2021

Summary of comments: No objection subject to conditions.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	22 January 2021	15 February 2021

Summary of comments: As some trees are to be removed to facilitate this development, we seek clarification that these do not contain potential (bat) roosting features. The proposals should demonstrate measures that will achieve biodiversity net gain.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	22 January 2021	19 February 2021

Summary of comments: No objection, conditions recommended.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 January 2021	No response

Summary of comments: No response.

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	26 January 2021	1 April 2021

Summary of comments: Internal response; see report.
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Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	10 February 2021	10 February 2021

Summary of comments: We recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates

wherever possible.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	22 January 2021	22 February 2021
Summary of comments: We accept this proposal subject to the following: A link is provided between the sites and Halesworth Public Footpath 17 at Dairy Hill to connect the development to the Doctors Surgery.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	22 January 2021	12 February 2021
Summary of comments: Internal response; see report		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	22 February 2021	12 March 2021
Summary of comments: Internal response; see report.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	31 August 2021	20 September 2021
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	31 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	31 August 2021	1 October 2021
Summary of comments:		

No objection, conditions recommended.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	31 August 2021	21 September 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Halesworth Town Council	31 August 2021	21 September 2021
<p>Summary of comments:</p> <p>At the Extraordinary meeting of the Council on Monday 20th September, 2021, it was RESOLVED that the Council recommended refusal of the application DC/21/007/FUL on the followings grounds:-</p> <ol style="list-style-type: none"> 1. The proposal did not reflect the local sporting and recreational needs of the local area as originally anticipated. 2. The loss of the Apollo Centre, a building of cultural value. 3. The surface water and flooding risks which had not been resolved 4. The environmental health issues and concerns associated with plastic pitches <p>The Clerk would also write to East Suffolk Council to advise them that the Council had not simply refused the application on the reasons stated above but was sufficiently concerned to request a referendum (or Poll) to seek the views of the residents again, assuming it was possible and effective to do so in the timescales and to seek ESC's advice and support and to emphasise the urgency and importance of this decision.</p> <p>A full report of the meeting will be available on the Council's website shortly https://halesworthtowncouncil.org.uk/the-council/past-meeting-minutes/</p>		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	31 August 2021	No response
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	31 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	31 August 2021	7 September 2021
Summary of comments: Holding objection as additional information is required.		

Consultee	Date consulted	Date reply received
SCC Highways Department	31 August 2021	2 November 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	31 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Sport England	31 August 2021	1 October 2021
Summary of comments: Support the application subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	31 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	31 August 2021	19 October 2021
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	31 August 2021	No response

Summary of comments:
No response.

Publicity

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

Category	Published	Expiry	Publication
Major Application	29 January 2021	19 February 2021	Lowestoft Journal
Category	Published	Expiry	Publication
Affects Setting of Listed Building	29 January 2021	19 February 2021	Beccles and Bungay Journal

Site notices

General Site Notice	Reason for site notice: Affects Setting of Listed Building, In the Vicinity of Public Right of Way, Major Application Date posted: 29 January 2021 Expiry date: 19 February 2021
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6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise".
- 6.2. National Planning Policy Framework (2019) NPPF
- 6.3. National Planning Practise Guidance NPPG
- 6.4. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP4.1 - Halesworth/Holton Healthy Neighbourhood
 - WLP8.21 – Sustainable Transport
 - WLP8.22 - Built Community Services and Facilities
 - WLP8.24 - Flood Risk
 - WLP8.29 - Design
 - WLP8.30 - Design of Open Spaces
 - WLP8.34 - Biodiversity and Geodiversity
 - WLP8.37 - Historic Environment
 - WLP8.40 - ArchaeologyHistoric Environment Supplementary Planning Document

7. Planning considerations

Planning Policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." This is reflected in paragraph 12 of the NPPF, which affirms the statutory status of the development plan as the starting point for decision making.
- 7.2. The development plan comprises the East Suffolk Council - Waveney Local Plan ("local plan") and any adopted neighbourhood plans. The relevant policies of the local plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of development

- 7.3. The site is sustainably located within the settlement boundary for Halesworth and forms part of the Halesworth/Holton Healthy Neighbourhood allocation under Policy WLP4.1 of the East Suffolk Council - Waveney Local Plan (2019). The principle of development on the site is therefore accepted. For completeness Policy WLP4.1 reads as follows:

The Halesworth/Holton Healthy Neighbourhood (22.05 hectares) as identified on the Policies Map is allocated for a comprehensive mixed use development comprising:

- *Approximately 215 dwellings;*
- *Health Care Facility and Retirement Community (approximately 2.3 hectares);*
- *Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities (approximately 8.6 hectares); and*
- *Education/Training Facility.*

The site should be developed in accordance with the following site specific criteria:

- *Residential development will be located on the northern and eastern parts of the site, which has an area of 7 hectares. The site will be developed at a density of approximately 30 dwellings per hectare.*
- *The health care facility and retirement community will be located on the north western parts of the site.*
- *The sports facilities will be located on the central parts of the site. Sports facilities on the site should include a 3G artificial pitch for all weather sports provision. This should be enabled by residential development on the site and appropriate delivery mechanisms and triggers will need to be agreed with the Council, in consultation with Sport England, to ensure the comprehensive development of the whole site in a coordinated and timely way.*
- *Redevelopment of the site will include replacement of the Apollo Youth Club.*

- *The North Suffolk Skills Centre will be retained on the site to be used for educational, voluntary and community purposes. This includes providing accommodation for local community organisations.*
- *Existing facilities at Dairy Hill, including the sports pitches, martial arts school, tennis courts, bowling green and children's play space, will be retained.*
- *Access to the residential development should be from Harrisons Lane.*
- *Existing trees and hedges on the site will be retained. There should be tree planting along the eastern edge of the site totalling 2.5 hectares to minimise landscape impact of the site.*
- *Development should be designed to encourage walking and cycling. Existing public rights of way on the site will be retained and new pedestrian access provided to include connectivity both within the site and with neighbouring parts of Halesworth. Loam Pit Lane should provide pedestrian and cycle access to the site.*
- *A Transport Assessment and Travel Plan should be submitted with any planning application.*
- *Any planning application is to be supported by the results of a programme of archaeological evaluation, including appropriate fieldwork, and should demonstrate the impacts of development on archaeological remains and proposals for managing those impacts.*
- *A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.*

7.4. The principle of sports pitch provision on the site is therefore established. The proposal will help deliver the vision of the Halesworth Campus and Halesworth Health to provide additional sporting and health facilities in the town. The plans of these organisations will help promote healthier lifestyles for new residents and existing residents alike.

Background Information

7.5. Following the closure of Halesworth Middle School Suffolk County Council transferred the site to Halesworth Campus Ltd. (the applicant), in order to enable them to provide (and enhance) the provision of local sport and recreation facilities in the town.

7.6. The following is an extract from the Planning Statement:

- *Halesworth Campus (HC) is aiming to sell 6.3 acres of its land for health and care development in order to raise funds to put towards the cost of the new sports facilities. Following a competitive procurement exercise, our (Halesworth Campus) preferred health and care partner is Castlemeadow Care (CMC). CMC is ready to purchase the land in order to build and operate the proposed new nursing home and extra-care apartments.*
- *Again, following competitive procurement, Pulse Design and Build (PDB) is lined up to design and build the new sports and recreation facilities. A contract has been signed with them.*
- *Sentinel Leisure Trust (SLT) will equip, operate, and manage the new facilities. We are aiming to have a contract in place with them by July 2021, a year in advance of opening.*

- *HC is also aiming to sell 2.7 acres of land for housing development in order to raise further funds to put towards the cost of the new sports and recreation facilities. Initial discussions have taken place with Orwell Housing (OH) as a potential housing partner.*

- 7.7. This application will provide enhanced sports pitches that will replace the pitches that will be lost due to the proposed redevelopment of the former Middle School site by Castle Meadow Care - see application DC/21/0027/FUL, also presented to this Planning Committee for consideration.
- 7.8. The intention is that Halesworth Campus will sell the site to Castle Meadow Care in order to raise funds to put towards the cost of the sports pitches proposed in this application. However, Suffolk County Council will hold the funds from the sale of the land which Halesworth Campus will be able to draw down for the purpose of sports and recreation development. The funds would only be released when an appropriate and deliverable project for replacement sports infrastructure is able to proceed.
- 7.9. The priority for the Council is to ensure the timely re-provision of the Middle School Sports Pitches. The Infrastructure Delivery Framework of the Waveney Local Plan recognises two phases of sports development for Halesworth:
- 7.10. With reference to the Infrastructure Delivery Plan (IDF) of the Local Plan, Phase 1 is an essential priority to replace the sports pitches, comprising the provision of a community 3G pitch and grass pitch and Phase 2 is a desirable priority comprising the provision of directly associated sports facilities such as changing rooms for the pitches.
- 7.11. Phase 1 forms this application. The Phase 2 elements do not form part of this planning application but would be the subject of a future application.

Funding

- 7.12. Funding for Phase 1 is accounted for by a combination of £1,641,997 of Community Infrastructure Levy (CIL) (which has been approved by Cabinet) and the sale of the land to CMC (£1,300,000). This funding towards 'Essential' infrastructure is justified by the Infrastructure Delivery Plan (IDF) of the Local Plan and supported by the CIL Spending Strategy. The availability of funding therefore gives confidence that the enhanced replacement pitches can be provided in a timely manner (to compensate for those that will be lost by Castle Meadow Care's proposed development). The CIL funding is also subject to a Community Use Agreement being established.
- 7.13. Funding for Phase 2 is not established the scope to deliver phase two should not affect determination of this application. However, planning permission and the delivery of Phase 1 will enable Halesworth Campus to explore moving on to Phase 2 with greater confidence. At this point Phase 1 must remain the sole priority for the site as it is both mitigation for other development and a necessary benefit for the community acknowledged in the Local Plan.

Highway Considerations and Pedestrian Connectivity

- 7.14. As noted above it is proposed to close one of the vehicular access points on Harrisons Lane and widen the eastern access to provide a single point of entry/exit. As this has been agreed

with Suffolk County Council Highway Authority it can be concluded that this arrangement will provide a safe and convenient vehicular access.

- 7.15. The proposed layout plan shows the existing cycle/pedestrian route along Harrisons Lane extended across the site frontage and connecting with the adjacent residential site where outline consent exists for 190 houses (DC/18/4947/OUT).
- 7.16. Pedestrian/cycle access into the site is proposed off Harrisons Lane alongside the vehicular access. From within the site the proposed layout shows pedestrian/cycle links to the adjacent housing sites and to the adjacent care home/assisted living proposals by Castle Meadow Care (CMC) to the west (Application DC/21/0027/FUL). The proposed layout plan shows a new public right of way created from the CMC site to Cutlers Hill Surgery, which can be secured through a S106 contribution. There is also the potential to extend this route southwards to connect into the existing Public Right of Way network. The layout plan also shows a direct connection from the site onto Loam Pit Lane which is also a Public Right of Way. The Highway Authority have considered the application and raise no objections to the revised proposals subject to conditions including details of the pedestrian and cycle links to adjacent sites. Subject to these details it is considered that the proposal will provide good pedestrian connectivity both within the site and to neighbouring parts of Halesworth, thereby encouraging walking and cycling to and from the site, in compliance with Policy WLP8.21.
- 7.17. The following text is included in the report for DC/21/0027/FUL:

“There should also be good pedestrian connectivity within the site particularly as the Cutlers Hill surgery is located a short distance to the south. It is considered unacceptable if the proposal did not provide a direct route pedestrian route to it, otherwise there would be a less convenient circuitous route for patients needing to access the facility, and indeed for G.P’s needing to visit patients. It would be a lost opportunity not to provide this link which will improve the connectivity of the site. It will be noted that Suffolk County Council Public Rights of Way Team support the proposal subject to the provision of a link to Public Footpath 17 at Dairy Hill to connect the development to the Doctors Surgery, Public Footpath 17 then connects with Halesworth Public Footpath 7. In addition the sports land will connect with the new route, through to the northern part of Footpath 7) Loam Pit Lane, into the Harrisons Lane housing development and onwards into the open space of the Hill Farm Road (Hopkins) development. The result will allow for off-road circular walks and enhanced east-west connectivity (including across to Holton) avoiding the use of any roads, thereby providing good connectivity to the surrounding network as required by Policy WLP8.21.

Ensuring this application provides a pedestrian link to the Cutlers Hill Surgery can be secured through a S106 contribution. Because the new Public Right of Way will involve third party land, specifically the edges of the football pitches owned by the Halesworth Community Sports and Leisure (HCSL) charity, the creation of this route will involve either a Public Right of Way Creation Agreement or Creation Order. Hopefully the former of the two process could progress through collaborative working with HCSL if that isn’t possible the funding would also cover a order making process. The funding request also includes the cost of repositioning of fencing.”

- 7.18. The above content of the application shows the role of that Public Right of Way funding in not just connecting the care development but also this sports facility across the town. Over recent years it is clear that relations between Halesworth Campus and Halesworth Community Sports and Leisure (HCSL) have not been good and this is disappointing considering that the Campus proposals originated from the two working together. However there have been recent changes in the Trustees of HCSL and if this application is approved the Council is keen to build bridges and ensure that the two sports facilities work together and form linkages, including physical connections in the interests of the sports and leisure needs for the community. The role of pedestrian connectivity in enabling that should not be underestimated.
- 7.19. In terms of parking, it is proposed to retain existing areas of hardstanding to accommodate sufficient car parking and safe access as the programme develops. The proposed layout shows 22 existing carparking spaces retained to the east of the grass pitch and a further 87 (including 4 disabled) carparking spaces to the south mostly on the site of the former school buildings. Adjacent to the eastern boundary of the grass pitch are 24 covered cycle stands.
- 7.20. The layout plan shows 51 (including 4 disabled) car parking spaces proposed to the north of the 3G pitch and a total of 32 covered cycle stands immediately adjacent to the pitch. A further 8 covered cycle stands are shown adjacent to the boundary of the CMC site at the point where the cycle/pedestrian link from Bungay Road enters the site.
- 7.21. For outdoor sports pitches Suffolk County Council's Guidance for Parking (2019) recommends that there should be 20 parking spaces per pitch plus 1 space per 10 spectator seats and 20 cycle spaces plus 1 space per 10 vehicle spaces. The Highway Authority raise no objection in terms of parking provision and therefore it can be considered sufficient to serve the proposal.

Environment and Ecology

- 7.22. As will be noted above concerns have been expressed about the environmental impact from the use of a plastic artificial pitch due to the leaching of micro-plastics into the surface water run-off and into local watercourses and potential dangers from the toxic components in the rubber crumb.
- 7.23. In responding to these concerns the applicant has stated that the inclusion of an edge board to the perimeter of the pitch will help to mitigate any migration of the crumb base from the pitch. It has also been confirmed that full maintenance of the pitch, to include frequent brushing, will also help with the presence of any crumb on the pitch surface. The applicant further contends that the site is not close to any local watercourses where migration could be an issue, with the nearest being to the east of Bungay Road and west of Quay Street.
- 7.24. The Lead Local Flood Authority have given detailed consideration to the proposed surface water drainage strategy (see below), but on this issue they advise as follows:

"for this type of sports pitch the surfaces are generally permeable with water draining through the surface layer, into either a sub-base, attenuated crate system, or a mixture of the two depending on the sites surface water attenuation requirements. As such, there shouldn't be any runoff generated from the pitch which would runoff to other parts of the site. This is helped by the fact the pitches are flat so any surface water during extreme rainfall is likely to pond on the pitch surface, as opposed to being shed off. Therefore, in

terms of the plastics, there should not be any reason for surface water, and thus plastics suspended in surface water runoff, to leave the pitch. Nor can the plastics work their way through the surface layers into the below surface storage as this would be protected by a permeable geotextile”.

- 7.25. The applicants’ comments regarding the use of edge boarding and full pitch maintenance, combined with the LLFA’s comments does provide assurance that micro plastic run-off from the site is unlikely to pose a significant threat to the integrity of the environment.

- 7.26. Sports England’s Position Statement on 3G pitches is as follows:

Third generation or 3G artificial grass pitches are recognised as durable, safe, year-round playing surfaces, able to withstand intensive use and all kinds of weather. They mean more people can benefit from all the associated social and health benefits of physical activity.

Concerns have, however, been raised about the safety associated with these pitches and their constituent parts, most commonly the presence of rubber crumb. We take these concerns very seriously.

We have monitored numerous independent scientific studies on this issue, which have reported a very low/negligible level of concern for human health as a result of 3G pitches and rubber crumb.

Indeed, the European Chemicals Agency has recently published its own findings, following an extensive EU-wide study, and has found no reason to advise people against playing sport on 3G pitches with rubber crumb.

The Sports and Play Construction Association, the UK trade body for the sports pitch industry, is developing a voluntary industry standard that will provide minimum requirements that go above and beyond what is currently required for rubber crumb under European regulation. Sport England and leading sport governing bodies all support this approach and will continue to work with the industry to provide reassurance that pitches in this country are safe.

- 7.27. Standard 3G pitches have been installed successfully on many sites both in East Suffolk and nationally, and in providing a year-round playing surface are popular facilities that are well used by the local communities they serve. The East Suffolk Council Waveney Local Plan doesn’t contain any planning policies that specifically relate to pollution from plastic or other building materials. Whilst Officers acknowledge that the use of an artificial grass pitch, and embodied carbon in materials and modern methods of construction generally, are becoming of increasing interest to the public in the current climate, these are not currently material planning issues that can be taken into account in the determination of this application. Further research into these issues may be undertaken in the future, but in the absence of relevant legislation and/or evidence on these issues Officers are of the view that there is no justification on planning grounds, to require an alternative specification for the 3G pitch to that being proposed.

- 7.28. The proposal clearly conforms to an adopted policy of the Local Plan. Whilst the concerns about the use of an artificial grass pitch are acknowledged it is considered that the risks to the

environment are low and that this risk and the concerns expressed, are outweighed by the social and health benefits of physical activity associated with the proposal.

- 7.29. A Preliminary Ecological Appraisal (PEA) has been submitted with the application. The objectives of the appraisal were to identify the habitats and species present or potentially present on the site and identify any appropriate mitigation measures. The site primarily comprises arable land, managed amenity grassland, post-demolition cleared hardstanding and scrub and is generally assessed as being of low ecological value.
- 7.30. The PEA proposes mitigation measures including the protection of identified reptile habitat, seasonal restrictions to scrub removal, retention of hedges and design of external lighting. A number of ecological enhancements are also proposed, which would improve the quality of the site for native flora and fauna, including hedgehog friendly fencing, bat boxes, and inclusion of native species in planting schemes.
- 7.31. The Council's Ecologist has reviewed the application and raises no objection subject to the development being carried out in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the PEA. These measures can be secured by condition. The Ecologist also recommended a condition limiting the time that the floodlights are on to only when the pitch is in use to avoid the area being lit for longer than is necessary.
- 7.32. The conditions recommended by the Ecologist are considered relevant and necessary to ensure that, in the event that planning permission is granted, the impact on wildlife species and habitats is mitigated and would give rise to some minor beneficial impacts.
- 7.33. The Design and Access Statement states that there are some minor, non-significant trees to be removed. The Councils Arboricultural and Landscape Officer raises no objection to the application on tree grounds and does not consider that there will be any significant impacts on wider landscape character which is to a degree, within the urban context. There is buffer planting indicated to the south east sector of the development. Full details of this along with any other proposed planting can be secured by condition if consent is granted.

Residential Amenity / Noise considerations

- 7.34. Local Plan Policy WLP8.29 – Design, states inter alia, that development proposals should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. There are two main considerations in this respect; firstly, there is the consideration of existing residential properties in the locality, most notably along Harrisons Lane and Loam Pit Lane, and secondly there is the consideration of the occupiers of the proposed care home on the adjacent site (although this is more of a consideration for application DC/21/0027/FUL than this application).
- 7.35. A noise assessment has been submitted which proposes noise mitigation measures. For the grass pitch adjacent to Harrisons Lane a 3m high acoustic barrier along the western and southern site boundaries with the proposed residential care home is proposed. No acoustic fence is proposed along Harrisons Lane, but this is considered justifiable given that this area is currently in use as a playing pitch and has been for many years. Furthermore, a 3m high fence

along this frontage would be an unsightly addition that would detract from the character and appearance of the street scene. It is appropriate for an acoustic fence to be erected on the boundary with the care home as this development needs to mitigate itself from any potential noise sources. As such the fencing would be expected to be provided and maintained on the adjacent site as part of application DC/21/0027/FUL.

- 7.36. Noise mitigation measures for the 3G pitch include the erection of acoustic fencing to the north and south of the pitch. This will reduce noise from player activities on the pitch affecting the residential properties to the south and at Town Farm. To mitigate the noise from balls striking perimeter fencing neoprene washers can be installed to the fixings of metal fence panels. Full details of acoustic and perimeter fencing can be secured by condition.
- 7.37. The Environmental Protection Officer has considered the application and raises no objection subject to the implementation of the noise mitigation measures, control over the hours of use of both the grass pitch and the 3G pitch and the submission of a Construction Management Plan to control noise, dust, and light so as to not cause nuisance to occupiers of neighbouring properties. These aspects can be secured by condition.

Heritage Impacts

- 7.38. There are 2 Grade II listed buildings houses close to the site. Wisset Place is located at the junction of Old Station Road and Norwich Road, approximately 50m from the sites northern boundary. Town Farm is located immediately to the east of the site on Loam Pit Lane.
- 7.39. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty to have special regard to the desirability of preserving the setting of a listed building.
- 7.40. A Built Heritage Statement (BHS) has been submitted which complies with the requirements of Paragraph 194 of the NPPF and Policy WLP8.37. Officers are in agreement with the BHS that the site forms a small part of the setting of Wisset Place and that the proposal will be seen within the context of existing development and will have no impact on how the significance of the listed building is appreciated or understood.
- 7.41. With regards to Town Farm initially there was a 3m acoustic fence proposed adjacent to the boundary of the property creating a tall impermeable boundary that would have had a significant visual impact on the immediate setting of the listed building. The amended proposed layout shows the fence around the 3G pitch, away from the boundary with the listed building, which is an improvement which reduces the harm to the setting of Town Farm.
- 7.42. Officers agree with the conclusion of the BHS that the proposal will result in an erosion but not total loss of Town Farm's setting and that the level of harm would be less than substantial. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 7.43. The proposal will deliver sports pitches in accordance with an adopted policy of the local plan. It is considered that the public benefits of enhanced sports facilities to the local community

that will arise, will outweigh the less than substantial harm caused to the setting of Town Farm.

- 7.44. Landscaping could also help mitigate the impact of the development on Town Farm and a landscaping scheme could be secured by condition should the application be approved.

Drainage and Flooding

- 7.45. Policy WLP8.24 - Flood Risk, states, inter alia, that developments should use sustainable drainage systems to drain surface water. Sustainable drainage systems should be integrated into the landscaping scheme and the green infrastructure provision of the development and not detract from the design quality of the scheme. They should deliver water quality and aquatic biodiversity improvements wherever possible.
- 7.46. The site lies within Flood Zone 1 which has the lowest probability of a flood risk event occurring (less than 1 in 1000 annual probability). The submitted Flood Risk Assessment states that the surface water drainage strategy for the site has been developed using Sustainable Drainage System (SuDS) techniques.
- 7.47. The overall philosophy of SuDS is to replicate, as closely as possible, the natural drainage process of a site prior to development to mitigate the adverse effects of urban storm water runoff on the environment. SuDS provide the ability to manage surface water discharge rates and volumes but also improve water quality, ecology and amenity within the development.
- 7.48. The issue of surface water drainage has been the subject of much discussion with Suffolk County Council as Lead Local Flood Authority (LLFA) who initially lodged a holding objection on the grounds that additional information was required to demonstrate that the site can be drained satisfactorily.
- 7.49. In seeking to address the holding objection a geotechnical site investigation and stormwater network modelling for the site was carried out. The results from both of these assessments formed the basis for a revised Flood Risk Assessment.
- 7.50. The proposed Surface Water Drainage Strategy for the development consists of surface water run off to be directed to an infiltration basin in the south of the site from where it will be discharged into the ground. The drainage strategy will result in a reduction in peak runoff rates discharging from the site.
- 7.51. Whilst initial testing has proved positive the LLFA are of the view that further testing is required. In the event that further testing proves that infiltration into the ground is not viable or is slower than anticipated the LLFA have requested a “back-up” strategy for discharging surface water. The proposed “back-up” strategy involves discharging water from the infiltration into the ditch which runs along the western boundary of the site.
- 7.52. The revised Flood Risk Assessment has been considered by the LLFA who raise no objection on drainage grounds subject to pre-commencement conditions requiring further testing of the ground conditions. On the basis of the proposed infiltration and “back up” strategy it is considered that the proposed surface water drainage strategy is generally in accordance with Policy WLP8.24 and can be supported, subject to conditions recommended by the LLFA.

Assessment against Sport England Policy and Continuity of Sports Field use during construction period

7.53. As this application affects land that has been used as a playing field it is a statutory requirement to consult with Sport England. This application relates to the effect of application DC/21/0027/FUL causing the partial loss of the former Halesworth Middle School playing fields which have been maintained to an extent since the closure of the middle school and used mostly in recent years for midweek training by Southwold Rugby Club, who use portable floodlights during the winter months. Irrespective of the level of recent use, the quantum of pitch space on the site is relevant to considerations in respect of the loss of this asset and its replacement. For this reason, there has been close engagement through the application process with Sport England, the Rugby Football Union (RFU) and the Suffolk branch of the Football Association (FA). At the same time as this, the Council has been working with consultants to produce an up-to-date East Suffolk Leisure Strategy, which has comprehensively considered all sports and leisure facilities and needs across the district, including engagement with clubs, organisations and communities. That has not yet been published but the consultants have also been involved in relevant sports meetings related to this application and have factored proposals into their work. It may be possible to provide extracts of that work in the update sheet.

7.54. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’

Assessment against Sport England Policy:

7.55. This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception 4 of Sport England’s playing field policy, which states:

‘The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.’

7.56. Sport England have assessed the application against exception 4 as follows:

The proposal relates to phase 1 of the redevelopment of Halesworth Campus to provide a retained grass football pitch and a new floodlit 3G pitch. Phase 2 will add a tennis/netball multi use games area (MUGA) and indoor sports building.

With regard to the quantitative assessment, the existing playing field covers an area of 2.96 hectares, of which 0.89 hectares will be retained. The new playing field will cover an area of 1.7 hectares, with the sports hall covering an area of 0.7 hectares.

This means that when both phases are built there will be 3.3 hectares of new sports facilities, in excess of the existing quantity, with 2.6 hectares being delivered in phase 1.

From a qualitative perspective, the 3G pitch will result in a significant qualitative improvement in facility provision on the site as the facility will be able to be used far more than grass pitches of equivalent quantity and will be used weekday evenings and weekends for training and matches.

With regard to management of the facilities, a contract is likely to be signed in July 2021 with Sentinel Leisure Trust to manage the facilities on behalf of the trust.

It should be noted that East Suffolk Council have recently commissioned a Playing Pitch Strategy for the district, and assessment work has recently commenced, with this proposal feeding into this strategic assessment.

Football

7.57. The Local Football Facility Plan (LFFP) for East Suffolk suggests a significant shortfall of current 3G facilities in the area, and subsequently a project has been highlighted for a new Floodlit 3G FTP in the Halesworth area. The LFFP for East Suffolk details that 'Halesworth has been identified as an area in need of 3G provision although further work is required to fully determine partner clubs. Halesworth Campus provides a potential venue. A smaller sized pitch would be the preferred option based on existing football demand.'

7.58. Halesworth Town FC are a small, growing club who have aspirations to develop more teams to service the local community. The club are currently restricted on their existing Dairy Hill site and have limited capacity to expand within their current facility restrictions. It is considered that the proposal could have a significant positive impact on increasing participation of football within the local area.

7.59. To protect the long term usage of the site for football Sport England recommend that a Community Use Agreement is in place and this is also a requirement of the CIL funding

Rugby

7.60. Some comments have been raised in respect of Southwold Rugby Club using a Halesworth Facility. It should be noted that Southwold Rugby Club serve a very wide area with more members from outside of Halesworth than within Southwold. They are without a Southwold based training facility and there is no reason why they should have to relocate from Halesworth based on name. They are established on the site and therefore the need to be

catered for. Diversity in sports provision is a positive thing and should territoriality between sports should not affect planning decisions.

- 7.61. The existing grass pitch is currently the established mid-week training ground for Southwold Rugby Club and as an established user of the site, they need to be catered for in the revised grass pitch proposals. The development of the site does decrease the amount of natural turf pitches on the site, and as such all new facilities on the site would need to be fit for purpose and rugby compliant in both specification and dimensions, the inclusion of fixed high quality specification sports lighting.
- 7.62. Consequently, the revised layout plan now shows a full-sized Rugby Pitch with run off areas, permanent lighting and Ball stop fencing/netting. The revised Planning Statement also includes the following statements regarding continuity of sports field use during the construction period:

Continuity of Sports Field use during construction period.

The current use of the 'closed' Halesworth Middle School site is restricted to rugby training 3 nights per weeks for 2 hours for Southwold Rugby Club with a recent addition of Halesworth Town Football Club of 1 night per week at 2 hours (which we will be looking to increase). There is a portable floodlighting provision which allows all year-round use.

There is currently the equivalent of a full-sized pitch marked out to the north of the site to support training use.

There are fixed rugby posts in place and portable football goals available to support the training sessions. This use can continue during the construction period of the 3G pitch and due to the timeline development of the assisted living/extra care apartments there will not need to be any changes until the 3G is ready for use.

Once the construction programme of the assisted living/extra care apartments commences the 3G pitch will be ready for use and an area of grass (the size of a full football/rugby pitch) will be retained principally for training but also for match play purposes if required to meet the demand. However, should the grass pitch on site not be available for any reason, the training ground can be relocated over to the Eastern field behind the Skills centre. An Agronomist Report has been carried out (and included in this planning submission). The report recommendations would be implemented to bring the field up to standard, should it be required, and the field transformed into a temporary pitch.

- 7.63. In addition to the above the following has been confirmed:

- The land to the rear of the skills centre could be used as playing field if needed
- The existing playing field will continue to be accessible to the rugby club until the 3G pitch is completed
- A full sized grass pitch will be retained with rugby being the preferred user.
- The 3G pitch will be suitable for rugby training
- The 3G pitch will be subject to a community use agreement

- 7.64. To further ensure continuity of sports field use whilst the 3G pitch is being completed Castle Meadow Care have agreed to provide a licence to Halesworth Campus to allow the site of apartment block A to continue being used for playing pitches for a minimum of 12 months. A section 106 Agreement is considered appropriate to secure this licence. However the conditions on phasing should avoid the need to rely on the licence, which is a civil arrangement.
- 7.65. A phasing plan submitted with the Castle Meadow Care application DC/21/0027/FUL will ensure that the existing pitch will remain in operation during the construction of the care home. In addition, it is considered necessary to retain control over the timing of the provision of the new grass pitch. This can be achieved by imposing a condition on application DC/21/0027/FUL that prevents any construction of the extra living apartments until the new grass pitch has been completed.
- 7.66. Sport England have considered the application, revised proposals and additional information and have confirmed that the Rugby Football Union (RFU) and Southwold Rugby Club are broadly supportive of the changes that have been made to the grass pitch subject to a community use agreement being in place for the grass pitch and 3G pitch prior to the commencement of development. The community use agreement would include details of pricing policy, hours of use, access by local clubs and informal use, management responsibilities and a mechanism for review, and is considered essential to ensure community access to the sports facilities.
- 7.67. The applicant has confirmed that Draft terms for a 20-year agreement for community use have been shared with the following potential partners: Halesworth Town Football Club; Southwold Rugby Club; Edgar Sewter Primary School; Suffolk New College (Halesworth Skills Centre) and Spexhall Football Club, and that work is ongoing to agree time slots and costs.
- 7.68. A community use agreement is considered necessary to ensure the pitches are accessible to the community and can be secured by condition, as recommended by Sport England.
- 7.69. From a football perspective, Sport England consider it critical that Halesworth Town Juniors FC retain access to the floodlit grass pitch during the period when the 3G pitch is being constructed, and the hours of availability for the football club should be set out in the community use agreement.
- 7.70. Sport England are also of the view that if the grass pitch to the rear of the Skills Centre is needed, this should be provided by the applicant, and no costs should be incurred by the football club.
- 7.71. As the RFU are now supportive of the project, Sport England have confirmed that they are now in a position to support the application, subject to conditions listed below, as it meets exceptions 4 and 5 of their playing fields policy.
- 7.72. The conditions recommended by Sport England will ensure the pitches are designed to an acceptable specification and will remain accessible to current and future users.

Other considerations

- 7.73. Policy WLP4.1 states that redevelopment of the site will include replacement of the Apollo Youth Club. Demolition of the youth club does not form part of the application. It indicates that the youth club is to remain and that its redevelopment would be subject to a future planning application and later phase of development. An option for an alternative site is indicated on the submitted layout plan but that does not define any conclusion on its repurvision.
- 7.74. It is considered that there is no reason why both this first phase of the Campus redevelopment and the retention of the Apollo youth club cannot continue alongside each other and compliment each other. However the building could be considered as being past its use by date and a solution for its long term replacement (i.e. the next 30 years) needs to be planned as this is a policy requirement. The Campus will therefore need to work with the Apollo and the community to ensure that this facility is maintained/re-provided either on this site or elsewhere. The Town Council has recently initiated an intention to set up a working group to address long term future needs for the town.

Public Benefits of the Proposed Development

- 7.75. The proposed development will deliver a number of public benefits including:
- Improved playing pitches including 3G pitch as part of the plan-approach to development in Halesworth;
 - Creation of a new footpath providing a direct link from the development to Cutlers Hill Surgery;
 - Cycle/footway links to adjoining sites;
 - Economic benefit in the short-to-medium term through creation of jobs in the construction industry;

8. Conclusion

- 8.1. The proposal is acceptable in principle as the site is allocated for development by local plan Policy WLP4.1. The development is therefore sustainably located to serve the local community by delivering the first phase of the sports facilities proposed by the policy, a significant benefit of the scheme. The proposal therefore accords with the plan-led approach to development in Halesworth.
- 8.2. It is acknowledged that the proposal will result is a considerable change to the existing character and appearance of the site and that it is not supported by some local residents and the Town Council. The concerns raised have been given due consideration by officers, particularly those regarding environmental impacts and drainage, but do not, in the balance, indicate that planning permission should be refused. Many of the matters raised can be mitigated by appropriately worded planning conditions.
- 8.3. The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework (2021) and the Development Plan as a whole. There are no significant, or unacceptable environmental impacts arising from the

proposals. There are also substantial public benefits that would otherwise justify approval as detailed above.

9. Recommendation

9.1. Authority to APPROVE with the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Footpath link to Cutlers Hill Surgery
- licence to allow the site of apartment block A (subject to application DC/21/0027/FUL) to continue being used for playing pitches for a minimum of 12 months.

9.2. If the S106 is not completed within 6 months authority to REFUSE the application.

9.3. 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 Drwg. No. 169 03 T received 20 August 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

4. All internal footways and cycleways shall be laid out according to drawing no. 169 03 Rev.T.

Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site.

5. Before first use of the site, details of the pedestrian and cycle links to the adjacent development site should be submitted and approved by the local authority.

Reason: To allow for the site to be accessed by pedestrians and cycles in a safe manner and to promote sustainable transport methods.

6. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 169 03 Rev. T. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

7. The use shall not commence until the area(s) within the site shown on drawing no. 169 03 Rev. T for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

8. Before [the development is commenced / any building is constructed above ground floor slab level] details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019. This is a pre-commencement condition because it must be demonstrated that the development can accommodated sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

11. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020), shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

12. The locations and specifications of acoustic fencing to the 3G pitch and any perimeter fencing, shall be submitted to and approved in writing by the local planning authority. The acoustic fencing and any perimeter fencing shall be installed in accordance with the approved details prior to the first use of the 3G pitch and shall be retained thereafter.

Reason: In the interests of amenity.

13. There shall be no use of the Grass Rugby pitch after 21.00hrs and no use of the 3G Pitch after 22.00Hrs.

Reason: In the interests of amenity.

14. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise and dust will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:
- a) Good practice procedures as set out in BS5228:2014,

- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

15. No development shall commence until details of the design and layout of the 3G pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The facility shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

16. Use of the 3G pitch shall not commence until:
 - (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
 - (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

17. No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
 - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the grass playing field which identifies constraints which could adversely affect playing field quality; and
 - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(a) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

18. Prior to commencement of development a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G pitch and retained grass pitch and include details of pricing policy, hours of use, access by local clubs and informal use, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

19. Prior to commencement of development, the applicant shall submit a construction and phasing plan, which sets out a timetable for the construction and implementation of the sports facilities to be provided on this site.

Reason: To ensure that the facilities are provided within a reasonable timescale, and to ensure that existing users retain access to the facilities.

20. Prior to installation full details of floodlighting for the pitches shall be submitted to and approved in writing by the local planning authority. The floodlighting shall be installed in accordance with the approved details. Floodlights shall be switched off as soon as is reasonably practical following the cessation of use and at the latest no longer than 30 minutes after the permitted hours of use in Condition 13.

Reason: In the interests of amenity.

21. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works 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. Landscaping proposals should be based on the Landscape Masterplans.

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

22. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory

23. No development shall commence 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 (LPA).

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

24. No development shall commence 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 LPA. 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.

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

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

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

26. No development 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 (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the

duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

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

Informatives:

1. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

2. Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

Informative (artificial grass pitches – rugby only). The applicant is advised that the pitch should be built in accordance with RFU guidance note 7: Artificial Rugby Turf and tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.

Informative (artificial grass pitches – football only). The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

Informative (artificial grass pitches football only) – The applicant is advised that for any football match play to take place the pitch should be built in accordance with

FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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

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

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

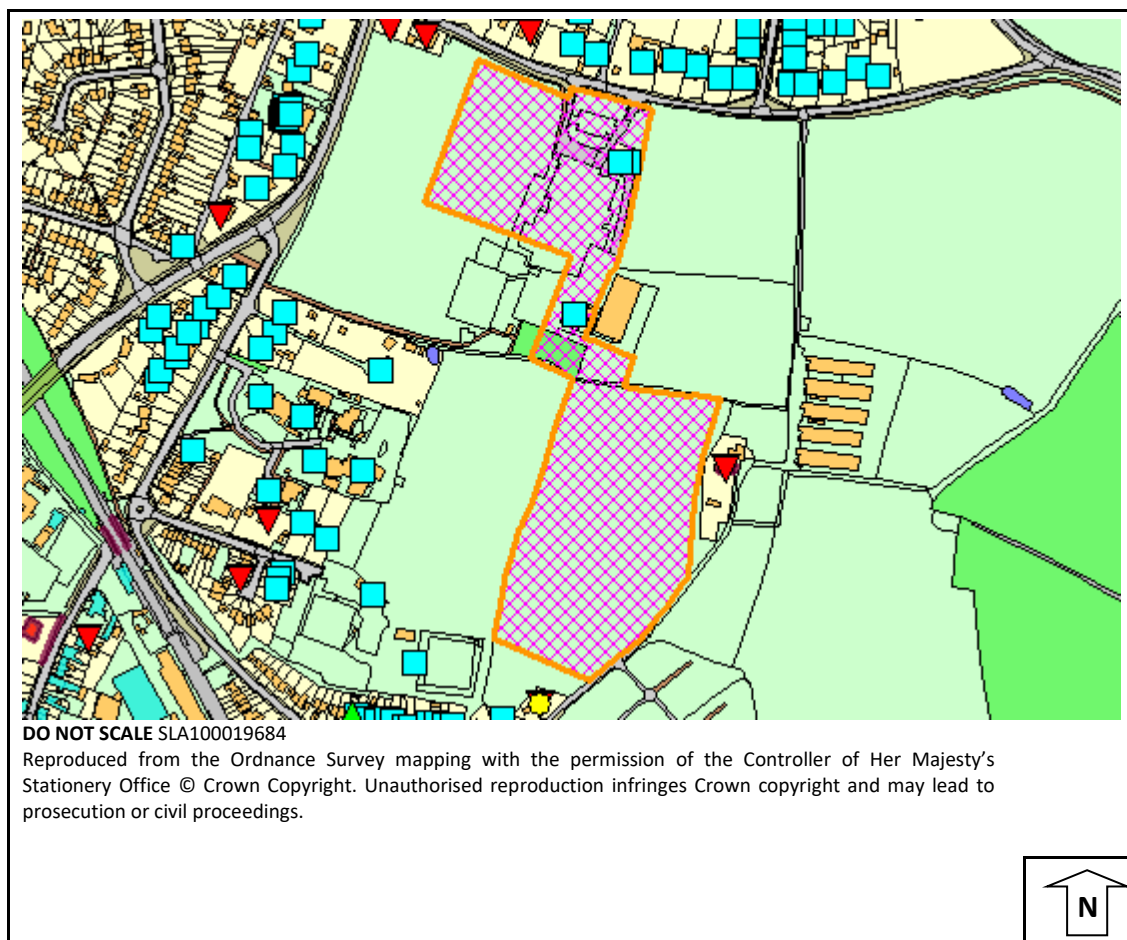
Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act

Any works to a main river may require an environmental permit





Background information

See application reference DC/21/0007/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/4154/FUL

Location

Land At
Rectory Lane
Worlingham
Suffolk

Expiry date 2 December 2021

Application type Full Application

Applicant Badger Building (E.Anglia) Ltd

Parish Worlingham

Proposal Construction of 19 dwellings, new community centre with associated parking and two new access roads off Rectory Lane

Case Officer Iain Robertson
07827 956946
iain.robertson@eastsuffolk.gov.uk

1. Summary

- 1.1 Planning permission is sought for the construction of 19 dwellings, a new community centre with associated parking and two new access roads off Rectory Lane on land that was formerly occupied by Worlingham Primary School.
- 1.2 Planning permission was previously granted Ref: DC/15/0213/FUL, for the demolition of the redundant school building, proposed community centre and the provision of 15 dwelling houses (13 open market and 2 Affordable homes). This application was considered by members of the Waveney District Council Planning Committee in April 2015 and approved in November of that year following the completion of a S106 legal agreement.
- 1.3 That permission was however deemed by officers to have been invalidated due to the County Council demolishing the school building ahead of discharging conditions and specifically conditions relating to contaminated land investigations.

- 1.4 This application seeks a very similar form of enabling development to that previously approved in order that a much-needed community centre can be delivered in Worlingham. The scale and nature of the community centre remains unchanged and although the application has this time been submitted by a housebuilder the Worlingham Community Facility group have maintained a key role in bringing the site forward. There have previously been two CIL funding bids awarded to that group, first to cover the professional costs of bringing the site forward and second to cover top up costs for the delivery of the Community Centre, due to recognised viability issues with the site at a pre-application stage. It was necessary to establish the CIL funding element at that stage to ensure that a housebuilder could be secured to move on to site acquisition from the County Council, this application and the delivery of this enabling project.
- 1.5 Due to the costs involved in delivering the community centre a viability assessment has been submitted with this application which demonstrates that the proposal cannot also provide any affordable housing or a policy compliant housing mix. This viability assessment has been carried out in line with the requirements of the Planning Practise Guidance (2019) and independently assessed to inform officer's consideration of the scheme.
- 1.6 This application is before members at the request of the Head of Planning and Coastal Management and the Chairman of the Planning Committee (North).
- 1.7 The provision of the community centre is a significant public benefit of the proposal which is considered to outweigh any conflict with Local Plan policies and policy compliant loss of affordable housing and housing mix.
- 1.8 The proposal is therefore considered to represent a sustainable form of development and officers recommend that planning permission is granted.
- 1.9 The recommendation is authority to approve subject to the completion of a Unilateral Undertaking to secure a contribution towards the Suffolk Coast - Recreation Avoidance Mitigation Strategy (RAMS); along with conditions to secure further details as described in the recommendation section of this report.

2. Site description

- 2.1 The site is situated within the settlement boundary of Worlingham as highlighted on the Local Plan policies maps. Because of this location it is not an allocated development site.
- 2.2 The site is bounded to the north by the extended graveyard belonging to All Saint's church; this is well planted with a mature 2m high boundary hedge. On the east side of this area is the shingled church car park containing the former community hall.
- 2.3 To the west the site of the school faces the Grade 2* listed church, also bounded by a continuation of the same hedge. To the south of the former school buildings was the former playground and a small field, and to the west of that is the much larger open recreation space, that did not form a part of the school site and is to be retained. This features a children's play area close to the existing school buildings.

- 2.4 To the east and south of the site is existing residential development from the late 20th Century, which comprises a mix of single storey and two storey development and design styles. A public footpath forms a link between Rectory Lane and the recreation area between the application site and the existing properties to the south of the site. To the east is Rectory Lane, and this forms the highway access to the site. Rectory Lane is set slightly lower than the site, though the school, church, and recreation ground are all at the same level.

3. Proposal

- 3.1 The proposal comprises the construction of 19 dwellings, new community centre with associated parking and two new access roads off Rectory Lane.
- 3.2 The residential aspect of the scheme comprises a mix of 2, 3 and 4 bed properties (3 x 2-bedroom, 8 x 3 bedroom and 8 x 4 bedroom). Eight properties are served from a single access point at the southern end of the site, whilst the community centre and a further seven properties are served by an access at the northern end of the site. Four larger detached houses front directly on to Rectory Lane and have separate access points.
- 3.3 The design of the properties is traditional in character with red facing bricks with some elements of render and a mix of red and anthracite pantiles. All properties are of two storey scale.
- 3.4 The community centre is single storey in scale of brick and tile construction comprising a central hall area which can be split into two areas with a partition. This area would serve as a function space for large gatherings and events which also comprises a kitchen and bar area. The smaller rooms around the perimeter of the building would serve as office and meeting space and for smaller clubs and societies.

4. Consultations/comments

- 4.1 Nine representations have been received raising the following matters:

- 4.2 Four letters of support:

- The Church Hall in Worlingham, adjacent to this site, closed many years ago. The building of houses to fund this development is a good idea. The result should be a real benefit for the residents of Worlingham, and the surrounding area.

- 4.3 Three letters of objection:

- The changes proposed to the road are unsafe
- The road will not be wide enough for normal use
- Existing ground level too high: loss of outlook and privacy to nos. 6 - 8 Rectory Lane
- Overbearing impact from frontage two storey properties
- Ground level should be lowered, and two storey properties replaced with bungalows.
- Access from properties on Rectory Lane are unsafe due to steepness
- Noise and disturbance from development
- Insufficient security and surveillance included in the design of the community centre
- Shining headlights from access into properties opposite

4.4 Two Representations of comment:

- Increase danger to pedestrians crossing from Copplestone Close due to the lack of footway on the eastern side of Rectory Lane, requiring pedestrians to Cross.
- Rectory Lane narrow, difficult for two large vehicles to pass
- Note increase from 14 to 19 properties.
- Frontage properties could be bungalows
- Driveways onto Rectory Lane could cause a hazard
- No solar panels
- Community centre should have a barrier on carpark, CCTV
- Turning space for a coach?
- Potential overlooking to properties in All saints Green
- How will surface water be collected?
- Bin/bike store on northern boundary could problems in terms of noise, litter and anti-social behaviour
- Maintenance of hedges
- At what point will the community centre be constructed
- Development should not encroach on public footpath on southern boundary

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Worlingham Parish Council	10 September 2021	4 October 2021
<p>Summary of comments:</p> <p>DC/21/4154/FUL – DEVELOPMENT OF LAND AT RECTORY LANE – Worlingham – 19 houses and a community centre.</p> <p>The parish council response includes the concerns of nearby neighbours. The Parish council has also compared the application with the emerging policies in the Worlingham neighbourhood plan and has sent in a separate analysis which includes recommendations to ensure this application complies with the neighbourhood plan policies.</p> <p>It was noted that there are various errors in the D and A statement which need to be corrected. This includes the site plan on page 3 which incorrectly shows the public footpath within the site boundary. Page 1 – paras 1 and 2 also incorrectly refer to the parish council when it should refer to The Worlingham Community Facility Trustees.</p> <p>Highway safety / Traffic / highway concerns - Residents voiced concerns about safety aspects of additional traffic along Rectory Lane – which is narrow at the area where the development is to be created. They were also concerned about speeding along this Lane and asked for a 20 mph speed limit to be added and also traffic calming at the end of Rectory lane as part of any agreement to this application. The public wished to ensure that the lay by is retained, that double yellow lines are placed along Rectory Lane at the frontage of the site to prevent parking on the carriageway,</p>		

and that a pavement is created on the opposite side of the road for the safety of the properties including 8 and 8a.

Amenity /overlooking - the site is raised above ground level – but with no information provided in the plans it is not possible to calculate how much higher the ground level will actually be at the area fronting Rectory Lane. The architect advises that there will not be any levelling of the site. The previous school was low level and was set at the back of the site and hence avoided overlooking of properties opposite on Rectory Lane. Residents are concerned about the significant change to the street scene and request that bungalows replace the houses at the front of the site to lower the level and line of sight along Rectory Lane, to prevent overlooking of their properties and to retain at least some of the lower-level character of buildings on this site. Increase in Scale / dominance of site will be significant if houses permitted on the front facing Rectory Lane. Plots 7/8/9/10 to become bungalows.

Garage sizes – it would appear from the information provided that the garage sizes are not in accordance with the SCC parking requirements. Garage sizes to be increased as required in SCC GUIDANCE.

Access to community centre parking area – concern raised about width of access to the car park for coaches dropping off at community centre. Increased width of access to community centre car park to be reconsidered in this respect.

Retention of hedge along public footpath on south/ southeast sides of site- to be retained to protect amenity and character of area. Covenant required from purchasers to ensure that the existing hedging must be retained and cannot be replaced by other materials.

Site Within church setting – church is an integral part of the community and includes regular bell ringing. There must be assurance from the site owners/ purchasers, potentially via a covenant, that they recognise the rights to ring the church bells in this respect.

Noise from Community centre – concerns raised about the noise from community centre that might affect neighbouring properties. Community centre to include appropriate sound proofing to reduce potential noise concerns.

Security aspects – windows in the gables to be included as recommended by Suffolk Police Authority. Obscure glass to be placed in all bathroom and toilet windows.

Application to be approved subject to Conditions being placed on the application to cover all of the matters above, and those raised in respect of compliance with neighbourhood plan policies as per the separate paper, and the comments from other consultees.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	N/A	6 October 2021
Summary of comments: Internal - comments included in main report		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Rights of Way	10 September 2021	13 September 2021

Summary of comments:

Objection due to public footpath 2 being incorrectly plotted and shown within the application site

Consultee	Date consulted	Date reply received
SCC Highways Department	10 September 2021	29 October 2021

Summary of comments:

Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:

- Provide justification for this reduced level of parking for the residential use.
- Include provision for Electric Vehicle Charging for both the residential dwellings and Community Centre and show location on the proposals plan.
- Provide swept path analysis for a large car for the restricted parking spaces in the corner and ends of parking bays for the Community Centre.
- Provide Swept path analysis for the access roads demonstrating that two large cars can pass one another.
- Commit to and show cycle parking for dwellings without a garage.
- Provide details for the level of cycle parking proposed for the Community Centre.
- Provide Swept path analysis for a refuse vehicle demonstrating that the vehicle can enter and exit the development in forward gear (for both accesses) and meet the required collection distances.
- Provide Swept path analysis for a fire tender to ensure emergency access to all dwellings.

Officer Note: See final comments dated 14 December 2021 where Holding Objection removed.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	10 September 2021	15 September 2021

Summary of comments:

No formal comment provided - Standard conditions required

Consultee	Date consulted	Date reply received
SCC Fire and Rescue Service	N/A	22 September 2021

Summary of comments:

General advice provided on Water, firefighting facilities and water supplies

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	N/A	24 September 2021
Summary of comments: General advice from SCC in relation to CIL requirements.		

Consultee	Date consulted	Date reply received
Historic England	17 September 2021	8 October 2021
Summary of comments: No comment to make.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	17 September 2021	21 September 2021
Summary of comments: No objection subject to conditions		

Non statutory consultees

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	N/A	22 September 2021
Summary of comments: Highlighted various concerns in terms of Secured by Design.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 September 2021	8 October 2021
<p>Summary of comments: Highlighted concerns in terms of the following:</p> <p>Air pollution - EV charging points required.</p> <p>Noise - No information included about community centre uses or plant required</p> <p>Contaminated Land - Phase 2 report required</p> <p><i>Further information in respect of this consultation will be covered in the update sheet</i></p>		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	10 September 2021	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	10 September 2021	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	10 September 2021	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	10 September 2021	6 October 2021
Summary of comments: Internal - comments included in report		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	10 September 2021	12 October 2021
Summary of comments: Internal - comments included in report		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	10 September 2021	29 September 2021
Summary of comments: Holding objection - Insufficient information provided		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	10 September 2021	No response

Summary of comments: No comment received

Consultee	Date consulted	Date reply received
East Suffolk CIL	10 September 2021	28 October 2021

Summary of comments: General CIL advice provided

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	10 September 2021	No response

Summary of comments: No comment received

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	17 September 2021	No response

Summary of comments: No comments provided
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Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	N/A	14 October 2021

Summary of comments: Comment relating to SuDS and infiltration

Re-consultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	N/A	14 December 2021

Summary of comments: Removed holding objection – Subject to conditions as listed in section 11.
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6. Publicity

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

Category	Published	Expiry	Publication
Affects Setting of Listed Building	1 October 2021	22 October 2021	Lowestoft Journal

Category Affects Setting of Listed Building	Published 1 October 2021	Expiry 22 October 2021	Publication Beccles and Bungay Journal
Category Archaeological Site	Published 17 September 2021	Expiry 8 October 2021	Publication Lowestoft Journal
Category Archaeological Site	Published 17 September 2021	Expiry 8 October 2021	Publication Beccles and Bungay Journal

7. Site notices

General Site Notice	Reason for site notice: Major Application In the Vicinity of Public Right of Way Affects Setting of Listed Building May Affect Archaeological Site Date posted: 7 October 2021 Expiry date: 28 October 2021
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8. Planning policy

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 8.2 Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 states that, with regard to Conservation Areas, “for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
- 8.3 The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations in decision-taking.
- 8.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP1.1 - Scale and Location of Growth
- WLP1.2 - Settlement Boundaries
- WLP1.3 - Infrastructure
- WLP8.1 - Housing Mix

WLP8.2 - Affordable Housing

WLP8.21 - Sustainable Transport

WLP8.22 - Built Community Services and Facilities

WLP8.28 - Sustainable Construction

WLP8.29 - Design

WLP8.31 - Lifetime Design

WLP8.32 - Housing Density and Design

WLP8.34 - Biodiversity and Geodiversity

WLP8.37 - Historic Environment

Historic Environment SPD (East Suffolk Council -Supplementary Planning Guidance)
Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (SPD)

9. Planning considerations

Principle of Development:

- 9.1 The site is situated within the settlement boundary of Worlingham as highlighted by Policy WLP1.2 - "Settlement Boundaries" as shown on the policy maps. The Settlement Boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable in principle.
- 9.2 The distribution of growth strategy detailed in Policy WLP1.1 "Scale and Location of Growth" aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework. The strategy highlights that Beccles and Worlingham is the second largest built-up area in Waveney and is allocated a greater proportion of growth of approximately 16% of housing growth. This growth will help support and enhance the services and facilities in the town and support the town centre as the second largest retail centre within the district. The majority of this growth will take place in the Beccles and Worlingham Garden Neighbourhood (WLP3.1).
- 9.3 Based on evidence in the Strategic Housing and Economic Land Availability Assessment and given that the potential for development within Settlement Boundaries will be proportional to the settlement size, windfall development coming forward from planning applications in accordance with Policy WLP1.2 such as this proposal are unlikely to skew the distribution strategy. In any case, at the time of the preparation of the local plan, the development of this site was seen as a committed development, contributing to overall future delivery. It is not therefore an additional amount of housing growth beyond that accounted for in the Local Plan.

- 9.4 Policy SCLP8.1: "Community Facilities and Assets" highlights that proposals for new community facilities and assets will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it serves and would not adversely affect existing facilities that are easily accessible and available to the local community.
- 9.5 Worlingham notably has no such facility and the Church Hall adjacent has not been available for many years. It is understood that the community had expected a community centre to be provided as part of early 2000's development on the eastern edge of the village but that did not materialise. There is an acknowledged shortfall of indoor community space in this large village and the proposal would fulfil an important need.
- 9.6 Taken together, these policies support the principle of the proposed development.

Affordable housing:

- 9.7 Policy WLP8.2 - "Affordable Housing" states that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for a proportion of the total dwellings to be affordable housing as follows:
- Housing developments in the Lowestoft and Kessingland area (excluding Corton) must provide 20% affordable housing;
 - Housing developments in the Southwold and Reydon area must provide 40% affordable housing; and
 - Housing developments in the remainder of the district must provide 30% affordable housing.
- 9.8 This policy highlights that in exceptional circumstances the level and tenure of affordable housing may be varied where it can be satisfactorily demonstrated through the preparation of a viability assessment in line with the guidance in Appendix 5, that a different tenure mix or lower percentages of affordable housing are required to ensure the site remains financially viable.
- 9.9 Affordable housing provision will only be reduced on sites which are necessary to the overall supply of housing in the district unless the scheme has wider sustainability benefits.
- 9.10 A viability assessment accompanies the application of which the Council has employed an independent consultant to assess. Independent assessment is standard practice where a viability report has been submitted in support of an application. Although the assessment of the viability report highlights that Pathfinder (Badger) costs are lower than the commonly adopted BCIS (Building Cost Information Service) based build costs, the proposed scheme is only just viable. It is considered therefore that there is no surplus that could go towards the provision of affordable housing for this proposal, and it is considered that exceptional circumstances have been demonstrated that a nil provision of affordable housing for this site can be accepted. The provision of a community centre is a significant public benefit and therefore a scheme of all open market housing is justified in order to deliver that community facility. Following this process the proposal therefore complies with WLP8.2.

Density and housing mix:

- 9.11 Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Policy WLP8.32 - "Housing Density and Design" of the Local Plan requires that development proposals make best use of a site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and its surroundings. Development proposals in and adjacent to the built-up areas of the market towns such as Worlingham should aim for urban scale development at a density of at least 30 Dwellings Per Hectare (DPH), unless local character indicates otherwise.
- 9.12 This site is approximately 1 hectare in size, a development of 19 properties over the 0.75 hectare area of the site equates to 25 DPH. Given that this is a low-density area it is considered to be an appropriate density level for this site.
- 9.13 Although the plan shows a housing mix which falls short of the 35% requirement of 1- and 2-bedroom dwellings, with three 2-bedroom properties which equates to a 15% provision, based on the evidence submitted within the viability assessment and this being an enabling development this is considered to be acceptable. This housing mix is also similar to the permission previously approved in 2015. It is accepted that a departure from the normal housing mix requirements is necessary to deliver the important community centre facility.

Heritage Impact:

- 9.14 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 199 of The NPPF states:
- "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".*
- 9.15 A heritage assessment has been included within the application which is considered to meet the requirements of paragraph 194 of the NPPF and Policy WLP8.37 - "Historic Environment" of the Local Plan.
- 9.16 This site is situated adjacent to the designated heritage assets of Church of All Saints, Lowestoft Road. Designation: Grade II* Listed Building. List Entry Number: 1182968 first listed on the 21st February 1967.
- 9.17 This asset is located approximate 21m to the northwest of the north-western most boundary to the application site, with the boundary to the churchyard and study site being contiguous along the north-western corner of the site. The churchyard expansion graveyard and church hall, and associated parking, are located to the east of the churchyard and extend along the norther boundary of the site.

- 9.18 The principal heritage significance of the church is largely derived from its historic, architectural and aesthetic interest as a much-restored church of Medieval 15th century origin, with later alterations. The significance of the church is also derived from its historic, and continuing, role and function within the community, and its historical associative value with preeminent local families and its role in evidencing the evolutionary nature of the development of the settlement and the populations it has supported over time.
- 9.19 The setting of the church has been much altered during the course of its history and has largely lost its contemporary 'historic' setting as the nature of its supporting settlement has changed from a dispersed rural settlement to suburban residential.
- 9.20 Although the site will see a change from less developed (former school site) to a more developed residential and community use, with associated landscaping and infrastructure, the study site does not form part of any key views to or from this asset. The immediate setting of the church will also retain its distinct identity due to its relative location and the nature of planting along its perimeter and within its grounds. As a result, the site is not considered to make a meaningful contribution to the significance of the church through forming part of its immediate setting.
- 9.21 The scheme has been designed to retain spatial separation between the proposed built form and the interface between the site and the churchyard along its northern side. This together with the existing planting on the boundary and within the churchyard will help reduce and soften its presence in views from within the churchyard that also encompasses the church.
- 9.22 Historic England have chosen not to make a formal comment but have advised that specialist Archaeological and Heritage advice be sought.
- 9.23 That advice has been sought and it is considered that any harm to the setting of the church will be limited and would cause 'less than substantial' harm, in NPPF terms. As required by paragraph 202 of the NPPF the harm would be balanced against the public benefits which in this case it is considered that the delivery of the community centre has substantial social and economic benefits and the housing that would enable its delivery will have similar benefits, but to a lesser extent, and would also provide a useful contribution to housing stock.

Archaeology:

- 9.24 This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). The site is situated adjacent to the Church of All Saints (HER ref no. WGM 003), a Grade II* listed building with medieval origins. Previous archaeological investigations close to the proposed development site have identified archaeological features dating from the Bronze Age (WGM 008) and medieval (WGM 006 & WGM 008) periods. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 9.25 There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a

planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Design:

- 9.26 Policy WLP8.29 - "Design" requires that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness.
- 9.27 In terms of layout the site works well in connecting future users of the community centre with the wider area through links for pedestrians and two separate vehicular accesses maintains a pedestrian focused environment around the community centre with only limited vehicular movements required to the properties facing towards the community centre. With the exception of the properties on the Southern boundary of the site the layout provides a very outwardly facing development. It is considered that the development will function well and that there is sufficient off road parking provision to prevent clutter caused by inappropriately parked cars.
- 9.28 The design of the housing is of a similar character to that approved with the 2015 application and is characteristic of surrounding development in the area. The design of the properties is traditional in character with red facing bricks with some elements of render and a mix of red and anthracite pantiles. Exact details of the materials are to be provided by condition.
- 9.29 There has been some concern raised from the Parish Council and the occupiers of the properties surrounding the site that the scale of the properties may appear overbearing given that the site is higher than the road level. Additional information has been sought from the applicant to show the development in context with surrounding properties. The level of the site and surrounds have been provided on plan using Above Ordnance Datum (AOD) levels, when transposed onto the proposed plans this information can be used to provide accurate streetscene and sectional plans to show the development in context. These plans show the scale in relation to the existing development in the area. Whilst it is clear that these frontage properties will be taller than some of the single storey properties along Rectory Lane, they will be similar in height to the two storey properties, with the height difference resulting from the slightly elevated position of the site.
- 9.30 It is considered that this information demonstrates that two storey developments on this frontage is acceptable and that there is no demonstrable harm which would warrant a reduction from two storey to single storey properties as suggested in representations.
- 9.31 The community centre is single storey in scale of brick and tile construction. Although it is regrettable that this public building could not have been of a more interesting design and palette of materials, it will be inoffensive when viewed from the adjacent open space and the grounds of the Listed Church. It is clear from the floor plan that the internal space provision is being maximised from the funds generated by the development and the design is largely similar to that in the previous consent. It will blend with the proposed properties and is considered to be acceptable.

- 9.32 The overall design of the proposal is considered to be acceptable and in accordance with the objectives of Policy WLP8.29

Secured by design:

- 9.33 Within the pre-amble to Policy WLP8.29, paragraph 8.173 highlights that promoting public safety and discouraging crime and disorder are important outputs of a well-designed scheme.
- 9.34 Development proposals should incorporate 'Secured by Design' principles and encourage natural surveillance over public areas. Particular care will be required in the design of car parking areas, landscaped areas, public spaces and pedestrian routes in order to avoid creating crime and disorder issues.
- 9.35 Suffolk Constabulary have commented on the scheme and have made a number of recommendations of which the Parish Council have endorsed. The applicant has amended the proposal to accommodate a number of suggestions in order to improve natural surveillance and minimise the opportunities for crime and disorder.
- 9.36 Although the development has not been designed with a view of gaining SBD approval it is considered that the most important concerns of the Designing out Crime Officer have been addressed. An informative has been added which highlights that Suffolk Police strongly recommend that the community centre is built in line with SBD Commercial 2015 V2, including a CCTV and alarm system.
- 9.37 The proposal has made adequate amendments to the proposal to meet the requirements of Policy WLP8.29 in terms of promoting public safety and deterring crime and disorder

Neighbour amenity:

- 9.38 A further requirement of Policy WLP8.29 is that developments protect the amenity of neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. Representations have been made relating to the potential for overlooking from the properties on the southern boundary towards properties on All Saints Green. Nos. 20 and 22 being the properties most likely to be affected.
- 9.39 Plots 1 and 2 face onto the side of No. 22 All Saints Green, overlooking of the rear garden of no. 22 from plot 1 would be at an oblique angle and given the level of planting shown to be retained on the boundary with the public footpath this relationship is not considered to lead to a loss of privacy. The proximity of plots 4 and 5 with the rear garden of No. 20 All Saints Green provides the potential for overlooking. The rear gardens on these properties is reasonable being 10-12 metres in depth, with extra separation provided by the public footpath. The occupiers of No. 20 All Saints Green have requested that existing planting is retained on the boundary to protect privacy. The latest version of the layout plan highlights that the 4-6-metre-high hedge is to remain. Although this cannot be relied upon in perpetuity there seems no reason why this buffer would be removed. Some overlooking is inevitable in urban areas, and it is considered that as the rear windows of plots 4 and 5 would serve smaller secondary bedroom space and together with the substantial planting shown to be retained the loss of privacy is unlikely to be significant.

- 9.40 The relationship between the new frontage properties and those which exist on the east side of Rectory Lane is considered to be acceptable. A direct relationship across a road is commonly found and although the proposed properties are slightly elevated it is considered that these properties would not have an overbearing impact on the existing occupiers.
- 9.41 In terms of the amenity of future occupiers of the new development the plots sizes are very generous, with adequate garden and floor space.
- 9.42 In terms of the impact from the housing development on amenity to proposals are considered to protect neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development as required by Policy WLP8.29

Community centre use:

- 9.43 There has been a significant amount of public engagement in relation to the community centre. The facility will provide Worlingham Church with an opportunity to replace facilities lost when the church hall was closed such as office space and function space for baptisms, weddings, funerals, etc.
- 9.44 There has been a large number of suggestions from the people of Worlingham for the facilities use. Some are suited for the hall space, and some for smaller meeting areas.
- 9.45 The following are potential uses that for the community centre:
- Functions (Weddings / Parties etc)
 - Bar with Associated Social Club
 - Bar events associated with other lettings such as parties.
 - Coffee Shop, Café and or Restaurant
 - Meeting rooms
 - Other hall bookings during the day, evenings and weekends.
- 9.46 For a fuller list of activities compiled from responses at the drop-in event, the leaflet circulation and responses to the Parish Plan survey are included in Appendix 1 of the planning statement.
- 9.47 Although some of these uses have the potential to impact on neighbour amenity the location of the facility is in the same location as the previous approval and with a similar relationship with proposed and existing dwellings. This facility is the driving force for this development and future occupiers will be well aware when purchasing a property on this development that they will be living in close proximity to a community centre. In order for this facility to be successful and well used it needs to be located within the community. In this case it is considered that it is necessary to include a condition requiring a noise management plan to be submitted to and agreed in writing by the Local Planning Authority. Further investigations are taking place to address methods of noise mitigation in both the building and adjacent proposed properties to ensure that the community centre can be used in the most flexible and beneficial way possible. Progress made in this respect with the Environmental Protection Team will be reported in the update sheet.

Highways:

- 9.48 There have been several representations relating to the potential impact on highway safety from increased numbers of accesses onto Rectory Lane and additional traffic movements. Suffolk County Council Highways authority are satisfied with the proposal in terms of on-site provision of car parking and the safety of the proposed accesses and associated visibility splays demonstrated. Additional details showing swept paths for refuse vehicles and fire appliances have been shown of which are considered to be acceptable for planning purposes. For full adoption of these areas the current criteria will need to be adhered to within the S278 and S38 process.
- 9.49 Policy WLP8.21 "Sustainable transport" requires that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 9.50 The site is well located in terms of access to services, facilities and public transport and already has good pedestrian links to these areas. In terms of cycling as highlighted in the east Suffolk Cycling and Walking Strategy (Draft 2021) the site is in close proximity to regional cycle route 30 and a key corridor between the A146 and Beccles. Although this proposal does not include any enhancement to this network the proposal does allow for provision of cycle storage, the exact details of which is to be required by condition, which will enable future occupiers and visitors to the community centre to travel by sustainable means.
- 9.51 EV charging points are also to be provided to provide to each individual dwelling and for the use of visitors to the community centre, details of which are to be agreed by condition.
- 9.52 It is considered that the development will, as far as it can do for a development of this scale, accord with the objectives of Policy WLP8.21, and would not have an unacceptable impact on highway safety as required by Paragraph 111 of the NPPF.

Air Quality:

- 9.53 The Environmental protection UK document Land-Use Planning & Development Control: Planning for Air Quality (January 2017(v1.2) recommends major developments (in terms of planning - i.e., greater than 10 dwellings or greater than 1000m² of commercial floorspace) are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect.
- 9.54 Paragraph 110 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.' Paragraph 112 of the NPPF states that 'applications for development should... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 9.55 A condition will be required to ensure that EV charging point for both the residential and community centre area are provided.

Contaminated land:

- 9.56 Paragraph 183 of the NPPF highlights that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and adequate site investigation information, prepared by a competent person, is available to inform these assessments.
- 9.57 A phase 1 contaminated land assessment has been submitted with the application. The submitted report provides some useful indicative information but further works of investigation are required together with any remediation and validation which may subsequently be required. Therefore, standard contaminated land conditions will be required to ensure that this additional investigation and remediation where necessary is carried out.

Flooding/Drainage:

- 9.58 The site is situated within Flood Zone 1 which represents a low probability of flood risk as land having a less than 1 in 1000 annual probability of river or sea flooding (shown as 'clear' on the flood map - all land outside Flood Zones 2 & 3).
- 9.59 Policy WLP8.24 "Flood Risk" and paragraph 169 of the NPPF highlights that major developments should incorporate sustainable drainage systems. A Flood Risk Assessment (FRA) has been submitted with the application. The FRA is principally required to consider the management of surface water run-off together with flood risk from sources other than rivers and the sea. Surface water arising from a developed site should, as far as practicable, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the site itself and elsewhere, taking climate change into account.
- 9.60 Site investigation has been completed and deposits generally comprising sand have been confirmed, representing the superficial deposits from British Geological Survey records. Infiltration rates between 6.39×10^{-6} to 1.61×10^{-4} m/sec confirm the suitability of the site for infiltration of surface water run-off. Run-off from the development will be managed in a sustainable manner using appropriate SuDS techniques.
- 9.61 Suffolk County Council as the Lead Local Flood Authority have not commented in detail on the application but have suggested conditions which will require full details of the Surface Water Drainage Strategy, the management and maintenance of the SuDS system, and full details as constructed for the asset database. Furthermore, a Construction Surface Water Management Plan is also required for the construction phase.
- 9.62 It is therefore considered that based on the FRA and the further details to be provided by condition the proposal will accord with the requirements of Policy WLP8.24 of the Local Plan and Paragraph 169 of the NPPF.

Open space:

- 9.63 Policy WLP1.3 - Infrastructure states that "Open space should be provided on residential development sites of 1 hectare or more in size and be based on the needs identified in the Waveney Green Infrastructure Strategy and Open Space Needs Assessment".
- 9.64 This site is very close to this threshold at 0.97 hectares. The Open Space Needs Assessment highlights that the adjacent area of open space is of medium value and the site is also within the catchment of other nearby areas of open space. Given that proportionately Beccles and Worlingham have the best mix of play spaces in the district and taking into account the constraints of the site and viability, on site open space is not considered necessary or deliverable in this case.

Sustainable Construction:

- 9.65 Policy WLP8.28 "Sustainable Construction" of the Local Plan requires that proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have been incorporated. This should include matters such as:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
 - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
 - Locally sourced and recycled materials.
 - Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
 - Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
 - Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse, recycling and composting bin storage.
 - A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan
- 9.66 The information within the submitted Design and Access Statement is not sufficient to meet the requirements of this policy and it is therefore necessary to impose a condition requiring the submission of a sustainability statement in order that future development proposals meet the requirements of policy WLP8.28.

Life-time Design:

- 9.67 Policy WLP8.31 - Lifetime Design requires that where appropriate proposals for development should demonstrate that the design supports the needs of older people and those with dementia.
- 9.68 All new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for

accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above.

- 9.69 It is considered essential to impose a condition requiring details to be provided of this proportion of properties that meet the requirements highlighted within policy WLP8.31.

Ecology:

- 9.70 An Ecological Report accompanies the application by Norfolk Wildlife Services (March 2021) of which the conclusions of the consultant are noted. Previous surveys at this site (in 2015) identified that it supported a population of slow worms, whilst no updated reptile survey has been undertaken suitable habitat remains on the site and therefore a mitigation strategy (including translocation of animals) is required.
- 9.71 Whilst this requirement is recognised in the Ecological Report no confirmed receptor site is yet to be identified although discussions are still on-going between the applicant and officers for a suitable site for this purpose. Therefore, a pre-commencement condition will be required to agree this.
- 9.72 The development will also result in the loss of an area of scrub which will provide habitat for species such as nesting birds. Whilst overall it appears that there will be a slight net loss of area of this habitat, from the Soft Landscaping Plan provided it seems that some replacement scrub planting could be achieved in the area of proposed amenity grassland to the north of the northern access road.
- 9.73 This could be agreed within the Ecological Enhancement Strategy which will be required by condition.
- 9.74 Subject to these matters being addressed by condition the proposal would comply with the requirements of Policy WLP8.34 "Biodiversity and Geodiversity".

RAMS:

- 9.75 The site is within the Suffolk RAMS Zone of Influence (Zone B - within 13km of the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC and the Sandlings SPA) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites).
- 9.76 The standard HRA template has been completed and this contribution is being secured with a Unilateral Undertaking.

Community Infrastructure Levy (CIL) contributions:

- 9.77 The residential aspect of this development will be liable for CIL for the whole of the proposed Gross Internal Area (GIA), chargeable at the Zone 3 rate.

9.78 Suffolk County Council have set out the infrastructure requirements of this development in accordance with Appendix 1 - 'Infrastructure and Delivery Framework' of the Local Plan. The following may form the basis of future more comprehensive CIL bids for funding as follows:

CIL Education:

- Secondary expansion - £95,100
- Sixth form expansion - £23,775

CIL Pre School expansion - £34,536

CIL Libraries improvements & stock - £4,104

CIL Waste infrastructure - £1,064

10. Conclusion

- 10.1 The application site is situated within the settlement boundary of Worlingham and would represent efficient use of a currently unused piece of land, formerly the site of Worlingham Primary School; the site is well located in terms of access to services and facilities within Beccles and Worlingham.
- 10.2 The proposal seeks to deliver an essential community facility in the form of a community centre which has seen significant collaboration between stakeholders over many years, previously gaining planning permission in 2015 which was unable to be implemented at that time.
- 10.3 The housing development proposed within this application enables the delivery of this facility and would deliver a useful contribution to housing supply. Albeit that the proposal is not able to provide a policy compliant scheme with regard to affordable housing and housing mix, officers are satisfied, following independent assessment, that the development would not be viable if affordable housing of any level were provided.
- 10.4 The proposed development is considered to be acceptable in design, both in terms of layout and appearance, and the impact on the setting of the nearby Grade II * Listed Church of All Saints would be minimal representing less than substantial harm. In accordance with Paragraph 202 of the NPPF the public benefit of the scheme would outweigh any harm identified.
- 10.5 The scheme would protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development as required by Policy WLP8.29.
- 10.6 In this case the proposal would give rise to significant public benefits including (but not limited to): the provision of a community centre, 19-dwelling contribution to housing supply, CIL contributions, short term construction job creation and longer term spend in the local economy by future residents.
- 10.7 Therefore, the proposal is considered to represent a sustainable form of development and officers recommend that planning permission be granted.

11. Recommendation

- 11.1 Authority to Approve with conditions as set out below and subject to completion of Unilateral Undertaking for the provision of RAMS payment and any final improvements in respect of noise management and mitigation (including additional/adapted 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 the following plans:

2015 SL01 Rev J - Site Layout Plan: Received 16 December 2021

2015 G01 Rev A - Garage Types Sheet 1/2: Received 10 November 2021

2015 G02 - Garage types Sheet 2/2: Received 10 November 2021

2015 PL01 Rev A - Brundall House Type BR1 - Plans and elevations: Received 10 November 2021

2015 PL05 Rev A - Carbrooke House Type CR1- Plans and elevations: Received 10 November 2021

2015 PL12 Rev A - Starston House type (Terrace) - Plans and elevations: Received 10 November 2021

2015 SS01 Rev A Proposed site sections: Received 10 November 2021

2571-21 Rev 1 - Soft Landscaping - Planting: Received 10 November 2021

2015 PL13 Rev A - Community Centre plans and elevations: Received 10 November 2021

2015 SE01 Proposed steetscene elevation: Received 10 November 2021

Landscape Specification and Management Plan Rev 1 (08.11.21): Received 10 November 2021

2015 PERS 01 - Perspective view: Received 28 October 2021

2015 PL02 - Blythburgh House Type BL1 - Plans and elevations: Received 03 September 2021

2015 PL03 - Wrentham House Type WR1 - Plans and elevations: Received 03 September 2021

2015 PL04 - Wrentham House Type WR2 - Plans and elevations: Received 03 September 2021

2015 PL06 - Helmingham House Type HE1 - Plans and elevations: Received 03 September 2021

2015 PL07 - Helmingham House Type HE2 - Plans and elevations: Received 03 September 2021

2015 PL08 - Yoxford House Type YX1 - Plans and elevations: Received 03 September 2021

2015 PL09 - Hulver House Type HL1 - Plans and elevations: Received 03 September 2021

2015 PL10 - Hulver House Type HL2 - Plans and elevations: Received 03 September 2021

2015 PL11 - Hulver House Type HL3 - Plans and elevations: Received 03 September 2021

, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. No development shall commence 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 (LPA).

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

5. No development shall commence 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 LPA. 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.

6. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings.

The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

7. No development 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 (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include: -

I. Temporary drainage systems

ii.Measures for managing pollution / water quality and protecting controlled waters and watercourses

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

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

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

a) 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: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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. 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 the Land Contamination Risk Management (LCRM).

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.

10. Prior to any occupation or use of the approved development the RMS approved under condition 9 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.

11. 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.

12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority.

No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in

accordance with a scheme which is subject to the approval in writing of the Local Planning Authority.

The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, 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.

13. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Report (Norfolk Wildlife Services, March 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

15. 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.

16. No development shall take place (including any demolition, ground works, site clearance) until a Reptile Mitigation Strategy (including details of translocation proposals) has been submitted to and approved in writing by the local planning authority. The content of the Strategy shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

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

Reason: To ensure that the development delivers ecological enhancements.

18. 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

19. 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 18 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

20. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and

- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

21. Prior to first use of the community centre a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Noise Management Plan.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.

22. Prior to first use, a detailed landscape maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall be implemented in accordance with the agreed details.

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

23. The approved landscaping scheme shown on drawing number 2571-21 Rev 1 shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

24. Prior to the commencement of the development details shall be submitted to the Local Planning Authority for approval demonstrating that 40%/8 units are designed to meet the requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details.

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

25. Prior to the commencement of the development a Sustainable Construction Statement shall be submitted to and agreed in writing by the Local planning Authority that demonstrates that where practical the following have been incorporated into the development:

- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
- Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
- Locally sourced and recycled materials.
- Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.

- Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.
- All new residential development in the district should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so.

Reason: in accordance with the objectives of the Sustainable Construction of policy WLP8.328 of the East Suffolk (Waveney) Local Plan and the Draft Sustainable Construction SPD.

26. Prior to commencement of development details of the infrastructure to be provided for electric vehicle charging points for the residential properties and the community centre shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking (2019) and paragraph 110 of the National Planning Policy Framework.

27. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays to be provided) 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 any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time.

28. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

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

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

30. 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.

Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public.

31. The new estate road junction(s) as shown on Drawing No SL01 Rev H inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any other materials i.e., not for the purpose of constructing the new estate road/junctions

Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence.

32. The use shall not commence until the area(s) within the site shown on drawing no. SL01 Rev H for the purposes of loading, unloading, manoeuvring and parking of vehicles have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

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

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

34. The cycle storage for the residential properties as shown on drawing no. SL01 Rev H shall be provided for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

35. The garage/parking spaces for each dwelling shall be made available for use prior to the occupation of the dwelling and shall thereafter be retained for these purposes. The internal garage dimensions should be to SCC current Parking Guidance (at time of writing SPG 2019) which should be 3m x 6m (or 7m) between the piers, not walls.

Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that

Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with the adopted parking standards (Suffolk Guidance for Parking 2019) where on-street parking and or manoeuvring would be detrimental to the safe use of the highway and in the interests of good design, as on-street parking for the third vehicle spaces required for four or more bedroomed dwellings has not been designed into the street.

36. Before the access is first used visibility splays shall be provided as shown on Drawing No. SL01 Rev H 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

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. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
3.
 - o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
 - o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
 - o Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
 - o Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
 - o Any works to a main river may require an environmental permit.
4. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.

SCC Archaeological Services would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

The archaeological evaluation will inform on the strategy for the removal of the former school building foundations and surfaces.

Further details on our advisory services and charges can be found on our website:
<http://www.suffolk.gov.uk/archaeology>

5. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

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

6. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

7. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets.

For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers' plant may render the land unadoptable by SCC Highways for example flogas and LPG.

8. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria:

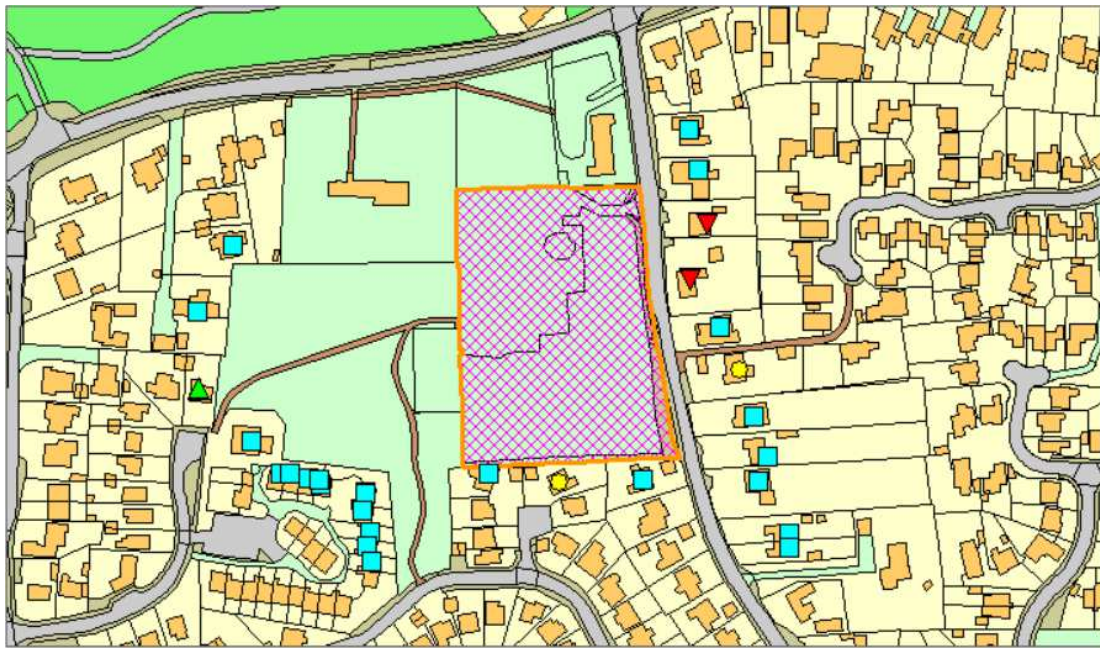
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>

9. Suffolk Police strongly recommend that the community centre is built in accordance with Secured by Design Commercial 2015 V2.

Background Papers

See application reference DC/21/4154/FUL on [Public Access](#)

Map



DO NOT SCALE SLA100019684

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Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/4531/FUL

Location

Hedgeley
The Green
Walberswick
IP18 6TX

Expiry date 24 November 2021

Application type Full Application

Applicant Mr, Ms Martin, Karen Lovick, Maxwell

Parish Walberswick

Proposal The extensions include a two-storey element on the northern elevation, a single storey extension to the east and a balcony and pergola to the south.

Case Officer Jamie Behling
07919 303788
Jamie.Behling@eastssuffolk.gov.uk

1. Summary

- 1.1. The proposed development seeks permission to renovate and extend the current dwelling which would include a two-storey side extension, single storey side and rear extension and balcony to the opposite side elevation. Other minor alterations reinstating some original features on the principle elevation are also included.
- 1.2. The officer recommendation to approve is contrary to the recommendation of the Town Council and Ward Member. The application was subject to consideration by the Scheme of Delegation Referral Panel, and The Panel recommended that the application be referred to Planning Committee (North) for determination.
- 1.3. The application is recommended for approval.

2. Site description

- 2.1. Hedgeley is a two-storey, detached residential dwelling within the settlement boundary and Conservation Area of Walberswick. The dwelling has been highlighted in the Conservation Area Appraisal as an unlisted building that makes a positive contribution. The appraisal also describes the dwelling as such:
- 2.2. *"Early nineteenth century red brick two storey three bay dwelling (formerly shop premises). A property appears on this site on the 1841 tithe map. Blind recess to centre of first floor, possibly designed to incorporate a shop sign. Two projecting bays to the ground floor flanking a former central entrance with plain tile canopy over."*
- 2.3. The site is on a prominent corner where Ferry Road meets The Street in the centre of the village. The building has been extended in a number of forms over the years with a large east facing wing to the rear and a large bay window facing south on the side. There is a private track running along the rear of the property providing access to the dwellings set behind the initial frontage of Ferry Road. The site falls within flood zones 2 and 3 being located close to the beach front.
- 2.4. Pre-application advice was initially sought for a similar scheme which was generally supportive but raised potential concerns over the balcony and height of the eaves of the two-storey element to the side.

3. Proposal

- 3.1. The proposal seeks to renovate the existing dwelling which includes the re-establishment of some original features such as the timber windows on the principal elevation. It also includes a new two-storey side extension and single storey rear extensions with flat roofs, clad in back weatherboarding and a balcony on the south elevation. A new garden and parking arrangement is also shown.
- 3.2. The Parish have commented stating that a change of use is required within the application however this has not been applied for.
- 3.3. From the initial submission the balcony has been reduced in length by 2.8 metres so that it no longer extends past the rear wall of the first floor, above the flat roofed rear extension. This was to reduce the degree of overlooking to neighbours at the rear and the private track which runs behind the site.

4. Consultations/comments

- 4.1. One representation of Objection raising the key following material planning considerations:
 - Overlooking and loss to privacy from the locally uncharacteristic balcony.

5. Consultees

5.1. Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	4 October 2021	25 October 2021
<p>Walberswick Parish Council</p> <p>“In the opinion of the Parish Council this application should be REFUSED. The extension would be seen so clearly from the green and the proposed changes to car parking will degrade the conservation area, alongside significant overlooking and loss of visual amenity of a neighbouring property.</p> <p>Description: Hedgeley is a detached two storey house sitting to the south-east side of the Green which was formerly the Village Stores and Post Office. It is of red brick construction with a pan tiled roof. It sits in a key area of the Walberswick Conservation Area and is obliquely opposite the Parish Lantern which is a Grade 2 Listed Building.</p> <p>Reason for refused and Policy Background Although not specifically mentioned in the application the plans show that, at present, each floor comprises a separate dwelling with no connection between them and with each dwelling having a front door situated at the back of the building. The intention is to turn the building into one house by carrying out the proposals set out in bold type above, so that it would appear that a change of use is involved in the application. Regardless of our recommendation for refusal, the proposal to reinstate the front door is to be welcomed as it would bring more life to the front of the building and to the street scene. It should be noted that the archive photograph included in the Design Statement shows small pane sash windows at first floor level. However a different type of glazing bar configuration has been chosen by applicant.</p> <p>The following policies from the Local Plan are relevant to this application: SCLP 11.1 Design Quality: Clause b). The clause states that proposals should understand the character of the built, historic, and natural environment and use this understanding to complement local character. Clause c)i states that the overall scale and character should clearly demonstrate consideration of its surroundings. This development would be very visible in the middle of the village. Clause c)iii states that the height and massing of developments should relate to their surroundings. Clause c)iv states that proposals should demonstrate a clear relationship between buildings and spaces and the wider street scene or townscape.</p> <p>SCLP 11.2 Residential Amenity: Clause a) states that privacy and overlooking should not be compromised.</p>		

SCLP 11.3 Historic Environment: States that development should make a positive contribution to the historic environment.

The two-storey extension projecting from the rear of the existing house, with its flat roof and vertical timber boarding, can be seen clearly from the Green. Sitting within the Conservation Area and in relation to a Grade 2 listed building it is alien to the red brick and tiled existing building and does not comply with the above clauses.

For similar reasons the side and rear extensions also do not comply. Notwithstanding the claim to the contrary in the application, the photograph of Reedlings in the Design Statement shows clearly that every part of Reedlings would be seriously overlooked by the proposed balcony, affecting residential amenity.

There are no drawings of the proposed amendments to garage area but again this side of Hedgeley is visible to the public. The proposal to bring the parking to the front of the site would be a retrograde step and would downgrade the Conservation Area, particularly as no doubt bushes and trees would need removal to achieve this end.

The previous owners of Hedgeley made a photograph (left) available to the village of a bas relief of some antiquity which is built into the north wall where the extension is proposed. We consider that no work is started until a satisfactory future for this artefact is agreed.”

5.2. Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	4 October 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	4 October 2021	No response
Summary of comments: No comments received.		

6. Non statutory consultees

6.1. Ward Councillor

Consultee	Date consulted	Date reply received
Ward Councillor Beaven	N/A	27 October 2021
“As a member of the planning committee, I should not pre-judge this application but I do feel		

that the objections by the parish council warrant this going before the committee, if you are minded to approve the application. Can you please keep me informed of your decision and whether this will go to the referral committee?"

7. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	7 October 2021	28 October 2021	East Anglian Daily Times

Site notices

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

National Planning Policy Framework 2021 (NPPF)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan - Supplementary Planning Guidance)

Historic Environment SPD (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

Planning Policy and Legislative Background

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decision taking to be in accordance with the Development Plan unless material considerations indicate otherwise.

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“The Act”) requires that special regard be paid to the desirability of preserving and/or enhancing the character and appearance of Conservation Areas.
- 8.3 Section 66 of The Act requires that special regard be paid to preserving the special interest of Listed Buildings, including any contribution to their significance made by their setting(s).
- 8.4 The heritage considerations of The Act are reflected in the historic environment objectives of the NPPF and Development Plan (specifically, policies SCLP11.3 and SCLP11.5).

9. Planning considerations

- 9.1. The proposal shows the use of the property as a single dwelling for a single-family unit. The parish have highlighted that the property was previously split up into two independent flats (under ref. E9002/1 approved in 1968) with separate front doors. It requires planning permission to sub-divide a dwelling; however planning permission is not required when combining properties into larger units. In this regard the intensity of the unit is seen as being reduced and is not considered development. The applicant therefore does not require a change of use consent for the proposed alterations.
- 9.2. The scheme includes the repositioning of the main entrance back onto the front of the property which is a welcomed enhancement to the character and layout of the building. Also, the replacement of the first-floor windows forming the frontage back to timber sash is also welcomed as this again would reinstate an original feature that has been lost over the years. Although not to the same specification of the windows shown in the historic photo within the design and access statement, they are a vastly more appealing design than the current oriel windows.
- 9.3. The majority of the alterations are positioned toward the rear of the property and are not prominent from many public viewpoints. Although it will be possible to see the two-storey extension from the village green as expressed by the parish council, it would not significantly detract from the importance of the building or affect the street scene or setting of the Grade II listed Parish Lantern, on the opposite side of the street. At the pre-application stage it was discussed with the Council’s Principal Design and Conservation Officer who did not have concerns over the principle of the development and agreed that the use of black weatherboarding was an appropriate material for the location, with other buildings in close proximity also clad in it, both horizontally and vertically.
- 9.4. The size and scale of the extensions respect the context of the site being smaller than the previous extensions, showing a progressively smaller massing toward the rear of the building. The new layout does not extend the footprint of the building substantially replacing existing flat roofed extension to the rear with a similar form. The scheme preserves the character of the Conservation area while having a positive impact to the street scene.
- 9.5. The balcony has been reduced in size and is not an overly prominent or noticeable feature.
- 9.6. Overall, the improvements made to the front of the building within the Conservation Area outweigh the possible harm of the additions at the rear and therefore the proposal is considered to be acceptable and in compliance with SCLP11.1, SCLP11.3 and SCLP11.5. As

there would be no harm to the Conservation Area, nor any nearby Listed Buildings, the proposal meets the historic environment objectives of the NPPF and The Act.

- 9.7. The proposed extensions do not add significant mass to the dwelling with the two-storey extension only 2.1 metres wide and does not extend out past any of the existing building lines. Its flat roof keeps the overall height to a minimum and the distance it is off the boundary is still reasonable at 1.5 metres. This boundary is shared with the side of Coronation Cottage and the gap between the dwellings is approx. 8 metres meaning that the extensions would have very little impact on the residential amenity of this neighbour in regard to loss of light or sense of oppression. The remaining single storey extensions are positioned away from boundaries and due to the distances of other neighbours and the small nature of the extensions.
- 9.8. A new balcony is proposed facing south at the first floor, from the master bedroom. This balcony will primarily overlook the roof area of Reedlings to the south which is a single storey dwelling and their front garden area. The balcony itself is relatively small and could only comfortably accommodate a couple of persons at any given time. Next to the balcony is a large first floor bay window which provides equal views over the neighbours' property. On balance it is considered that the balcony would not provide significantly greater views over the neighbours' property than those which currently exist and therefore in this case it would not cause a substantially greater loss to privacy or sense of being overlooked. No comments have been received from this neighbour.
- 9.9. The scheme is therefore acceptable in terms of residential amenity and would accord with Policy SCLP11.2.
- 9.10. The proposed scheme shows a change to the parking arrangement by reducing the length of the driveway and widening the parking area behind the gate, to the side of the dwelling, however, does not alter the access itself. These proposed changes would be considered permitted development as only gravel is being laid which is permeable and could therefore be done without consent. The changes to the parking arrangement therefore are acceptable forming part of this proposal and cannot be objected to.
- 9.11. A 'bas relief' was pointed out by the Parish Council on the side of the dwelling which has been noted and raised with the applicants. The stone is to be removed from the wall intact and saved by the applicants. This appears on the rear projecting extension which does not hold any significant historical importance. It is likely that the bas relief was added on at a later date and therefore its removal would not harm the historical importance of the dwelling.
- 9.12. The redevelopment is relatively modest and does not add significant floorspace to the property. The recommendations given within the submitted Flood Risk Assessment should be implemented in order to minimise damage from possible flooding in the future no matter how unlikely. These however will not be conditioned due to the scale and nature of the development.

10. Conclusion

- 10.1. As the design is acceptable, preserving the Conservation Area and as noted above there is no significant impact on neighbour's amenity, the development is therefore considered to

comply with the policies listed above. There are no material considerations that would indicate for a decision otherwise and, therefore, planning permission can be granted.

11. Recommendation

11.1. Approve with conditions listed in section 12 of this report.

12. 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 6276-PL01, PL02 received 30/11/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

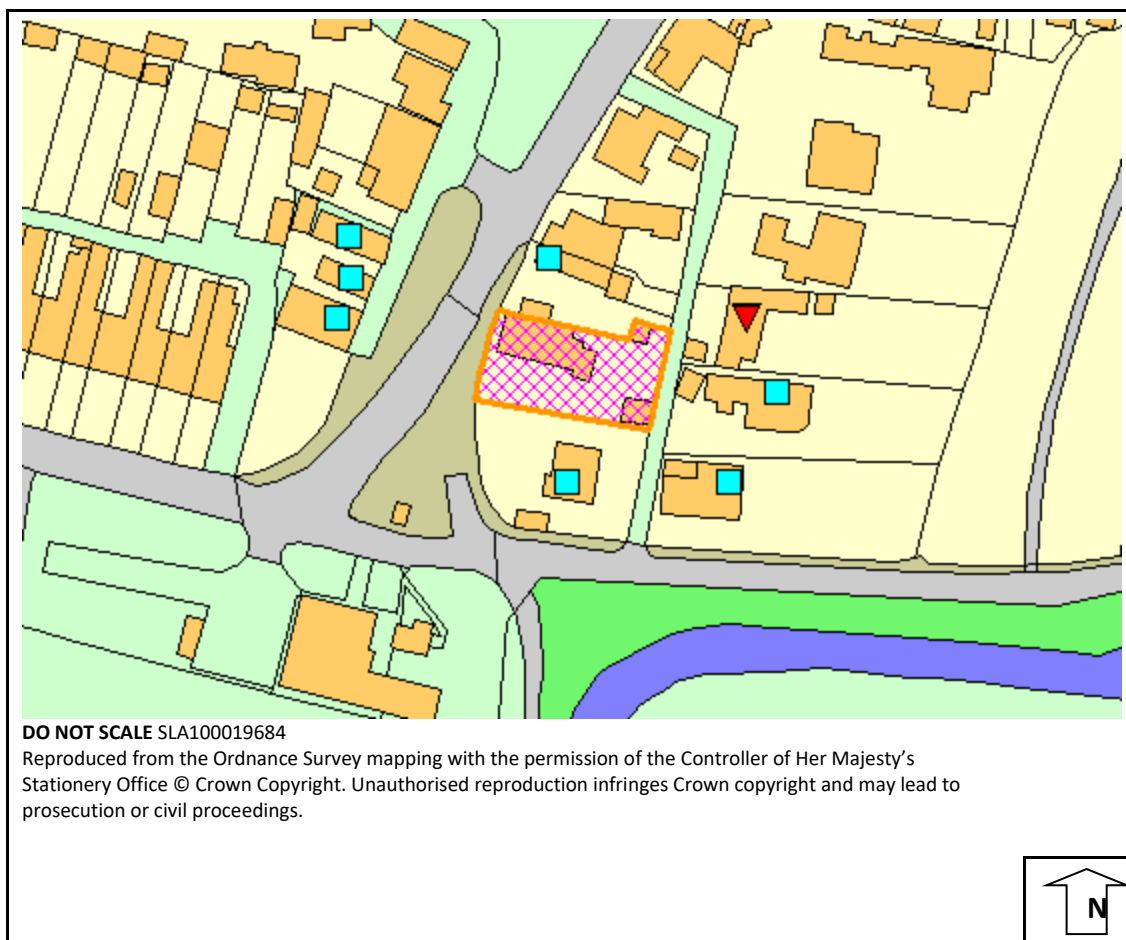
Informatives:

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

Background Papers

See application reference DC/21/4531/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/4295/FUL

Location

3 Trinity Street
Bungay
NR35 1EQ

Expiry date 21 November 2021

Application type Full Application

Applicant c/o Suffolk Life

Parish Bungay

Proposal Change of use from offices B1 to residential C3 and removal of commercial advertising sign from frontage

Case Officer Iain Robertson
07827 956946
iain.robertson@eastsuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the Change of use from offices to residential (use class C3).
- 1.2. This application is accompanied by an application for Listed Building Consent DC/21/4296/LBC for the alterations specified, of which is being determined under delegated powers.
- 1.3. The application is presented to members following referral by the Referral Panel in order that the objection from Suffolk County Council Highways Authority can be discussed in further detail.
- 1.4. It is recommended that planning permission is granted.

2. Site description

2.1. The building is situated within the Bungay Conservation Area and is a Grade II listed building. The site is within the defined settlement limits and Town Centre Boundary for Bungay.

2.2. The building is described as follows by Historic England:

"18th century, 2 storeys and attic, 1 dormer, red brick, 5 windows and 2 painted dummies. Parapet with rendered cope, plinth, pantiles. Sash windows with glazing bars and flush frames, flat arches. Lead rainwater heads. No. 1, 6-panel door in wood Doric case. No. 3, 6-panel door, panelled reveals, fluted pilasters, frieze with swag enrichment and centre medallion head. Nos. 1 to 19 (odd) form a group".

2.3. The building was previously occupied as a solicitor's office since planning permission was granted for the change of use from residential in 1988 Ref: W7442/3.

2.4. The site is outside the Primary Shopping Area and the Primary and Secondary shopping frontages as defined on the Local Plan policies maps.

3. Proposal

3.1. Planning permission is sought for the Change of use from offices B1 to residential C3.

3.2. The proposal includes no demolition or changes to the historic fabric of the building and utilises all elements of the existing building for the change of use. It is intended to simply re-use all existing rooms and allow for a 4-bedroom dwelling in place of what was office space.

3.3. To the rear is an area of outside space which would be utilised as a courtyard garden area, where there is space for cycle storage utilising a shared access route.

4. Consultations/comments

4.1. No third-party representation received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	29 September 2021	18 October 2021
Summary of comments: No comments.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	8 October 2021	10 November 2021
<p>Summary of comments:</p> <p><i>Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:</i></p> <p><i>The proposal would see an increase on parking demand in an area where such demand cannot be safely accommodated on the public highway. This could therefore result in unsafe and inappropriate parking on the public highway. This would be in contradiction to NPPF paras. 108, 111, 112c, 112d & 112e.</i></p> <p><i>For a 4+ bedroom dwelling, Suffolk Guidance for Parking (2019) states that at least 3 car parking spaces should be provided along with 2 secure, covered cycle spaces. In some locations, a slight reduction in parking requirements can be considered based on the relative sustainability of the location.</i></p> <p><i>This includes factors such as proximity to local shops, services, public car parks and regular local transport links.</i></p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	8 October 2021	26 October 2021
<p>Summary of comments:</p> <p>No comment</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	29 September 2021	19 October 2021
<p>Summary of comments:</p> <p>Internal - Comments included in report</p>		

5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	8 October 2021	29 October 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	8 October 2021	29 October 2021	Lowestoft Journal

Site notices

General Site Notice

Reason for site notice:

Conservation Area

Listed Building

Date posted: 7 October 2021

Expiry date: 28 October 2021

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 6.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP8.18 - New Town Centre Use Development
 - WLP8.21 - Sustainable Transport
 - WLP8.29 - Design
 - WLP8.37 - Historic Environment
 - WLP8.39 - Conservation Areas

7. Planning considerations

Principle:

- 7.1. Policy WLP1.2 highlights that settlement boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable.
- 7.2. Policy WLP8.18 - "New Town Centre Use Development" should be read in conjunction with the policies maps which highlight the Town Centre Boundaries and Primary Shopping Areas. This policy highlights where town centre uses (falling within use classes A1, A2, A3, A4, A5, C1, D2 and B1a) should be focused.

- 7.3. To help support the vitality and viability of town centres the National Planning Policy Framework states that local plans should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations. Town Centre Boundaries and Primary Shopping Areas are defined by Policy WLP8.18. Primary frontages are where most shops are concentrated. Secondary frontages have a greater mix of uses including banks, building societies, estate agents, pre-schools, restaurants and cafés. The Framework also promotes town centres which provide customer choice and a diverse offer of retail and services.
- 7.4. Policy WLP8.19 "Vitality and Viability of Town Centres" seeks to control changes of use within town centres and sets out the uses which are appropriate within primary shopping frontages and secondary frontages to maintain the vitality and viability of town centres. In primary shopping frontages the policy aims to ensure a dominant retail appearance which supports high levels of footfall.
- 7.5. There is therefore no control over the use of buildings outside of Primary and Secondary areas, therefore the principle of residential use in such areas is acceptable, being in the town centre and sustainably located. There is no Local Plan policy protection to retain the office use.
- 7.6. This is an historic former residential property and it was used for residential purposes until the late 1980's. In terms of its historic purpose and integrity this is a positive future use and it is in the building's interest to see it occupied with a use which will invest in its preservation.

Transport:

- 7.7. Policy WLP8.21 - "Sustainable Transport" highlights that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 7.8. There is no allocated off-street parking associated with this property. The agent has highlighted that *"the land to the rear of hardstanding is owned privately by a landowner of Trinity Court, Trinity Street and is not highways owned. Our client has the right to pass both on foot and vehicles over the land to essentially access the rear, this is also said vehicles can stand on the land for a reasonable time and of that not to impact the landowner"*.
- 7.9. The occupants would be reliant on the use of the limited on street parking available on Trinity Street which is available on a first come first served basis. The Highways Authority have recommended refusal of this application suggesting that the proposal would see an increase in parking demand in an area where such demand cannot be safely accommodated on the public highway and have suggested that the proposal could therefore result in unsafe and inappropriate parking on the public highway.
- 7.10. There are double yellow lines in place outside of the property to prevent parking on the highway in this location, safe loading and unloading could take place in the bay opposite or the area to the rear of the property.

- 7.11. The demand for parking from the previous use as an office building would have been significantly greater; it has been suggested that the previous tenant had 10 staff. Although it is appreciated that the parking requirements of an office to a residential property are different as they would not be required over a 24-hour period, the lack of off-street parking would be evident to future purchasers or occupiers.
- 7.12. Although the property was built before cars existed it would appear that it was occupied as a residential dwelling until the late 1980's and for many decades it is likely that it would have included residential car ownership. However, since then ownerships of land to the rear may have changed and a one way system has been introduced in the town causing all south bound traffic to pass this property.
- 7.13. Other similar properties in the vicinity such as the properties either side at Nos. 1 and 5 and those nearby such as 13, 15 and 17, similarly have no off-street parking and no doubt there are other examples within and around the Town Centre.
- 7.14. In the view of officers, the lack of parking, in a relatively sustainable market town location, would not in itself result in an unacceptable impact on highway safety which is the test required by Paragraph 111 of the NPPF to refuse on highways grounds.
- 7.15. As previously mentioned, covered and secure cycle storage will be provided to ensure that other more sustainable transport options are available to occupiers as is encouraged by Policy WLP8.21.
- 7.16. Furthermore, details of bin storage will also be required by condition to ensure that there is no conflict with users of the highways.
- 7.17. With these conditions the development proposal is acceptable in highways and sustainable transport terms.

Heritage:

- 7.18. The proposed change of use would have no impact on the significance of the Bungay Conservation Area. Matters relating to minor alterations to the Listed Building itself are dealt with by the accompanying application for Listed Building Consent Ref: DC/21/4296/LBC, of which a decision is pending awaiting the outcome of this application.
- 7.19. The re-use of this building will bring the building into a viable new use which will safeguard this heritage asset for the future. The proposal therefore accords with Local Plan Policy WLP8.37 "Historic Environment and WLP8.39 " Conservation Areas".

Amenity of occupiers:

- 7.20. Policy WLP8.29 requires that proposals provide a good standard of amenity for future occupiers of the proposed development. Historically this building would have been used for residential purposes, the site provides a courtyard style garden, although small for the size of the property it is not unusual for a town centre location. It is considered that the standard of amenity for future occupiers would be acceptable.

8. Conclusion

- 8.1. The site is situated within the settlement boundary of Bungay where housing is generally considered to be acceptable. The property is outside of the primary and secondary shopping frontages. As there are no policies specifically controlling the change of use of buildings outside of these areas it is considered that the principle of change of use to residential use would not have a detrimental impact on the vitality and viability of the town centre as required by Policy WLP8.18.
- 8.2. Given that the previous use of the building generated a greater demand for car parking than the proposed use and that the site is situated within a Town Centre location within easy reach of everyday services and facilities, the lack of off-road parking associated with this property it is not considered to result in an unacceptable impact on highway safety.
- 8.3. Furthermore, due to the Listed status of the property, there are limited other uses that this building could feasibly be put to. Given that it has historically been laid out as a residential property and used in that way until its change of uses to offices in 1988 it is considered reasonable that it should return to this use.
- 8.4. Areas for loading and unloading would be available to future occupiers of the property who would be aware of the limitations of the site for off street parking. Facilities for the storage of cycles would be provided. It is considered that the proposal would accord with Policy WLP8.21 and the NPPF.
- 8.5. The proposal would provide a long-term viable use for the building which would safeguard this heritage asset as encouraged by Policy WLP8.37 and the NPPF.

9. Recommendation

- 9.1. Approve.

10. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 20-001, 20-004 and 20-005 received 14 September 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

4. Prior to the commencement of the development details of the areas to be provided for the storage and 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 and used for no other purpose.

Reason: To ensure that adequate facilities for storage are provided in the interest of highway safety.

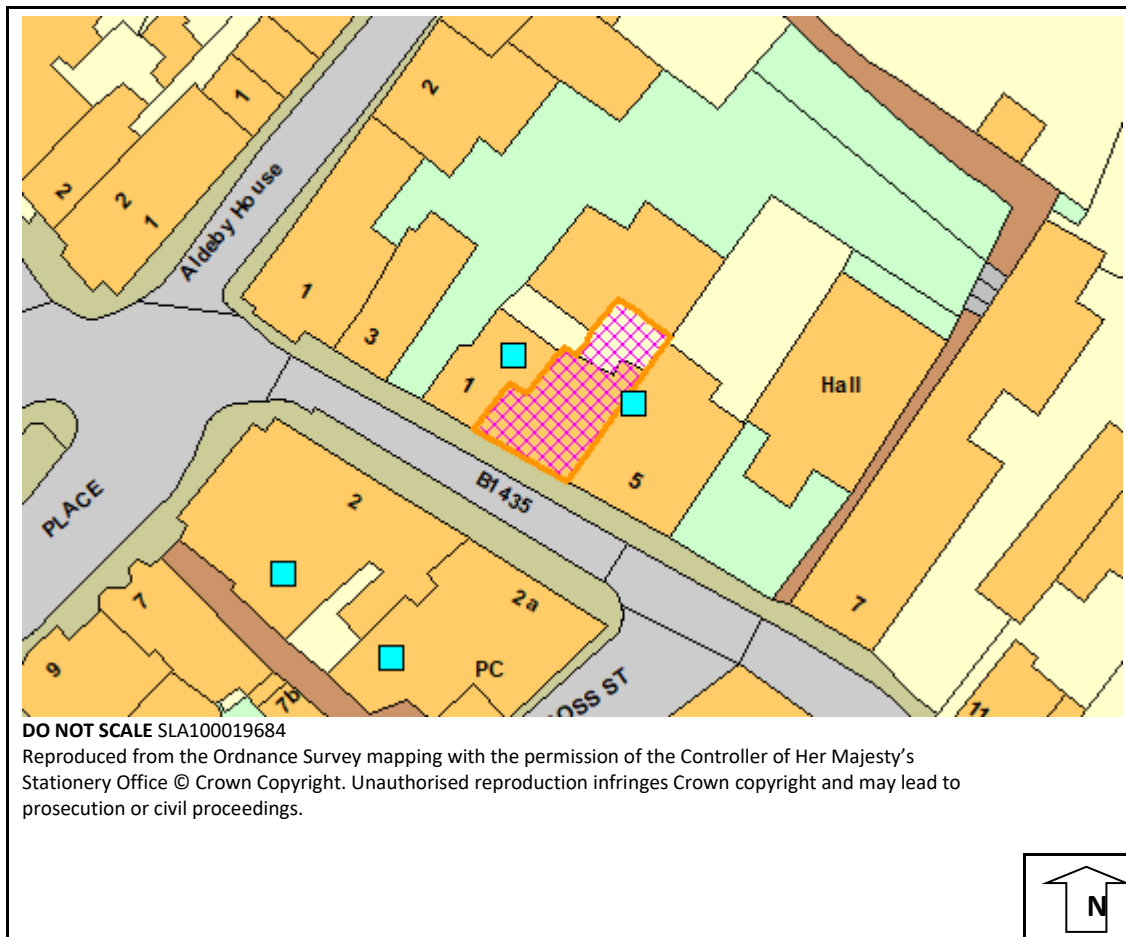
Informatives:

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

Background Papers

See application reference DC/21/4295/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/3789/FUL

Location

3 White Point
Eversley Road
Southwold
Suffolk
IP18 6AW

Expiry date 14 November 2021

Application type Full Application

Applicant Bull Associates

Parish Southwold

Proposal Application to amend the development comprising the construction of a glazed roof pavilion - amended design to that approved under planning permission ref. DC/18/2428/FUL.

Case Officer Joe Blackmore
07887 454208
Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 This application seeks planning permission for the development of a glazed roof pavilion at 3 White Point, Eversley Road, Southwold. The site benefits from planning permission for a glazed roof pavilion under application ref. DC/18/2428/FUL ("the approved scheme"), but the structure, as-built, differs from the approved scheme. Therefore, this application has been submitted seeking permission for that amended design.
- 1.2 Officers consider that the constructed roof pavilion, when compared to the approved scheme, causes no additional harm to the Conservation Area, nor the living conditions of residents near to the site.
- 1.3 Officers have referred the application, through the Referral Panel, to the Planning Committee (North) for determination.

2. Site description and Background

- 2.1 3 White Point is one of a number of flats created from a former British Legion building. It is the first floor flat and includes a roof terrace served by an enclosed staircase, which is a 'turret' structure with pyramid roof on the northern corner of the building.
- 2.2 The building is located in a prominent corner plot at the junction between Blackmill Road and Eversley Road, all within the Southwold Conservation Area. Blackmill Road serves the backs of the houses in York Road & Godyll Road and follows the curve they make.
- 2.3 The Southwold Conservation Area Character Appraisal notes that this part of the Conservation Area consists mainly of late 19th Century and early 20th Century residential development, comprising large terraced or semi-detached houses at a high building density and where the streetscape is building dominated. There are no listed buildings immediately adjacent to the site but most of the buildings in the vicinity are identified in the Conservation Area Appraisal as being buildings of local importance.
- 2.4 The application site (3 White Point) benefits from planning permission for a glazed roof pavilion under application ref. DC/18/2428/FUL ("the approved scheme"), allowed on appeal. A copy of that appeal decision is appended to this report and should be read in conjunction with this report.
- 2.5 The approved scheme included a condition (3) that reads:
- "No development shall commence until detailed drawings of the following matters shall have been submitted to the local planning authority and approved in writing: (i) eaves and verges; (ii) glazed rooflight; and (iii) junction details with the existing staircase tower. The developer shall notify the Council in writing when the development commences, and the approved details shall be implemented in their entirety not later 6 months from the date of that notification."*
- 2.6 Construction of the glazed pavilion started in September 2020 without this condition being discharged; this is the subject of an open enforcement investigation.
- 2.7 The applicant sought to discharge those condition details retrospectively under application ref. DC/21/0219/DRC. However, it was clear through enforcement investigation that the form and footprint of the constructed pavilion was different to that shown in the approved drawings on the extant scheme. That DRC application was therefore withdrawn, and this application made to retain the development undertaken (which is now largely complete).
- 2.8 Relevant Planning History
- DC/17/1089/FUL (Refused) - Provision of glazed roof pavilion over existing light well.
 - DC/16/4753/FUL (Refused) - Provision of glazed roof pavilion over existing light well.
 - DC/16/2213/FUL (Refused) - Provision of glazed roof pavilion over existing light well.
 - DC/18/2428/FUL (Approved via appeal) - Construction of glazed pavilion to roof terrace (see appendix 1 for copy of appeal decision).

3. Proposal

3.1 This application seeks planning permission for development described as:

“Application to amend the development comprising the construction of a glazed roof pavilion - amended design to that approved under planning permission ref. DC/18/2428/FUL.”

3.2 This description of development was amended during the application process at the request of officers.

3.3 The pavilion is largely complete and ready for use. It is constructed of a steel framework with a ‘slimline’ aluminium system. It is glazed on all sides.

3.4 The pavilion has a flat roof form with no eaves overhang (whereas the approved scheme had a significant eaves overhang and a roof lantern atop the structure).

3.5 The pavilion is generally positioned slightly farther in from the external face of the building by comparison to the approved scheme; in the region of 200mm.

3.6 The applicant’s agent has explained how the amended design was in response to discussions with the Building Control Inspector, and a Structural Engineer. The key considerations for the detailed construction being to ensure that the roof of the existing building could take the load of the pavilion; and that the pavilion be fixed down firmly given its exposed position in a windy location.

3.7 The constructed pavilion therefore involves steel columns being bolted into the steel roof structure of the main building.

3.8 The applicant’s agent has reiterated that as the pavilion is not linked to the staircase tower, that it is not a habitable room. However, the plans show a short, glazed link between the two elements (and the agent confirmed on site the intention to complete that). Whether the pavilion is physically linked to the staircase tower/turret is largely irrelevant for planning purposes. The pavilion is an enclosed, watertight structure with power supply and can clearly be used for purposes incidental to the enjoyment of the dwelling. Officers have therefore assessed the scheme on the basis of the as-built structure along with any additional elements – like the glazed link and gutter details – that are shown on the submitted plans.

4. Consultations/comments

4.1 Five representations of objection have been received raising the following key concerns (inter alia):

- The application should be determined by the Committee.
- The development has been undertaken without complying with conditions on the permission granted via appeal.
- The extension is poor design and harmful to the character of the conservation area.
- The development is illegal.
- The extension overlooks neighbouring gardens.
- The extension contains electrical supply and is therefore residential accommodation.

- The building is larger than what was approved.
- The building/extension is contrary to the Southwold Neighbourhood Plan.
- The design is poor and overpowers the existing tower/turret.
- The application fails to acknowledge the extension/building is a different size and position to that approved under 18/2428.
- The scheme is contrary to the conditions of the original permission for the re-development of the British Legion Building.
- The construction is a heavy-duty steel frame rather than a lightweight aluminium structure as approved.

5. Consultees

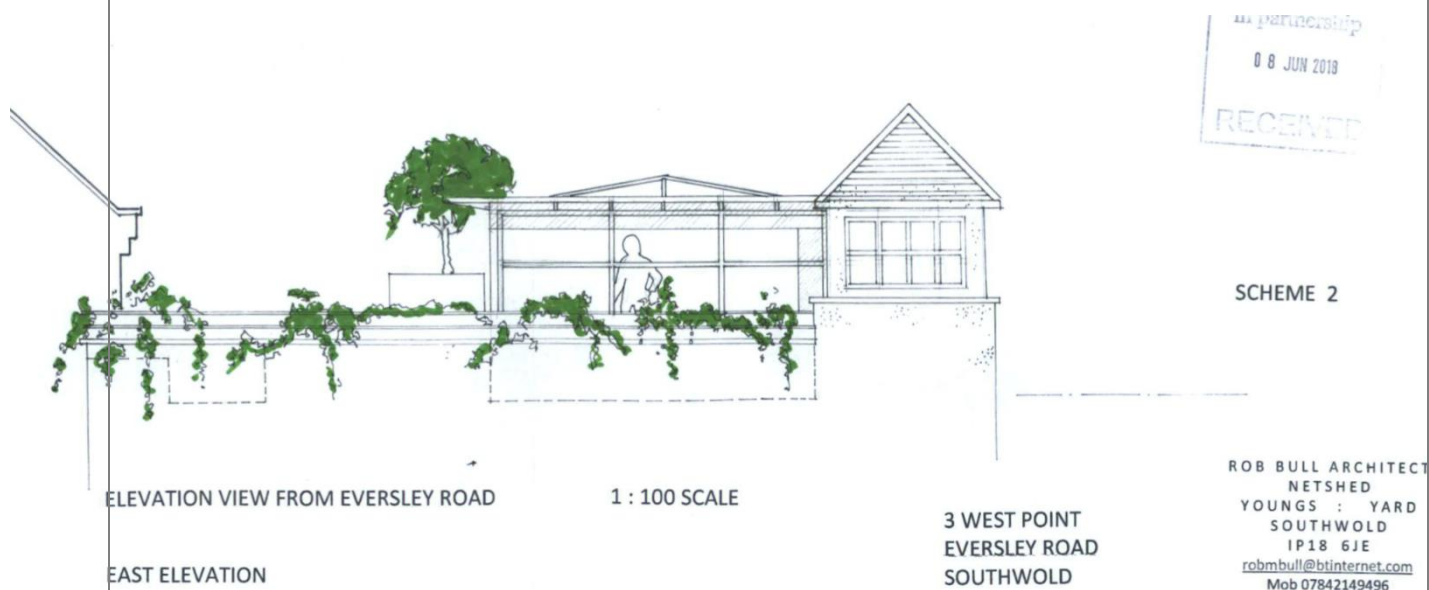
Consultee	Date consulted	Date reply received
Southwold Town Council	21 September 2021	19 October 2021

DC/21/3789/FUL 3 White Point Eversley Road Southwold Suffolk IP18 6AW

Recommendation: Refusal

This is a application to agree changes in the detail of the design of a night sky viewing room on a roof garden in the Conservation Area. These changes are significant enough to warrant the LPA insisting on a new planning application rather than a non-material or minor material amendment under Sections 96A or Section 73 of the Town and Country Planning Act 1990.

The visual below shows what was consented. Note what appears to be an extended eave, the pyramid shaped skylight and the glazing bars breaking the glass sides into four parts; collectively these features give the structure a lightweight, 'Japanese' effect that bears some relationship to the turret. (The eye will move continuously between the two, comparing them.)



The documents submitted in this application do not provide plans showing what has actually been

built. But judging from Photos 1 & 2 below, taken in this last week, its mass, form, detailing and architectural style appear quite different than the consented scheme. STC, therefore, took the view that it should consider the acceptability of what has been built.

Photo 1 – Street elevation looking up from Eversley Place



Photo 2 From neighbour's rear garden on Blackmill Rd



STC's view is that this is a clunky, heavy structure that relates poorly to the turret and the rest of

the building. It is now the dominant feature of the roof and as such, it detracts from the roof garden whose landscaping is a significant feature of the original consent to redevelop the British Legion building. The applicant says the reason for the changes is to make the building substantial enough to withstand Southwold's weather conditions. Looking at this application de novo, if it has to be ugly in order to be built, then it shouldn't be built.

In reaching its decision, STC has taken into account Paragraph 135 of the July 2021 edition of the NPPF: *'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)'*.

In accordance with the NPPF, STC has also given some weight to Policy SWD6 – Design in the Southwold NP. The design policy has been approved by the Inspector and the NP is scheduled to go to Referendum in January 2022. In our view, the structure as built fails to comply with A-C.

POLICY SWD6 - DESIGN

In order to create high quality buildings and places that are beautiful and enduring, development proposals should be informed by the National Design Guide as appropriate to their scale nature and location and respond positively to its principles.

All planning applications should demonstrate, either through the Design and Access Statement where this is required or through sufficiently detailed plans and documents, that they have:

A. understood and followed the process for creating high quality design set out in the National Design Guide;

B. understood and proposed design that is sympathetic to and in keeping with the best of the prevailing local character area;

C. maximized the opportunities to improve the quality of design;

D. positively addressed the Recurrent Design Issues and area-specific Sensitivities and Susceptibilities identified in the Southwold Character Area Appraisal (SCAA) and reinstated character where the SCAA identifies opportunities for this; and

E. where relevant, addressed heritage management issues identified in the Southwold Conservation Area Appraisal.

Development proposals which do not demonstrate their compliance with the design principles A – E above will not be supported.

The Inspector's consent did not take account of the fact that the structure, as built, has electricity. If this roof top garden room is illuminated at night, it will cause light pollution and harm the amenity of a number of neighbours. If the LPA is minded to consent, we ask for a condition that it

not be illuminated during the dark hours.

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	19 October 2021
<p>Summary of comments:</p> <p><i>The Executive Committee are exceedingly concerned that yet again the applicant has started work without approval from the LPA and ignoring the conditions set in terms of material and design in a conservation area. This, again, is a retrospective application which has gone ahead without permission, presumably hoping to 'beat the system'.</i></p> <p><i>There has been a long history of the applicant ignoring conditions set by the LPA, both to the initial planning application and the subsequent appeals. We have no intention of rehearsing all the details as there is an extensive file on your portal.</i></p> <p><i>We strongly object to this application on the grounds of the loss of privacy to neighbours, deleterious impact on a conservation area and ignoring the planning process. We fully support the objections raised by neighbours and Southwold Town Council.</i></p> <p><i>The Committee recommends that this planning application is rejected.</i></p>		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	1 October 2021	22 October 2021	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	1 October 2021	22 October 2021	Lowestoft Journal

7. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 27 September 2021 Expiry date: 18 October 2021
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8. Planning policy

National Planning Policy Framework 2021

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

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

SWD6 - Design (Southwold Neighbourhood Plan, Referendum version)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

Planning Policy and Legislative Background

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decision taking to be in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") requires that special regard be paid to the desirability of preserving and/or enhancing the character and appearance of Conservation Areas.
- 8.3 The heritage considerations of The Act are reflected in the historic environment objectives of the NPPF and Development Plan (specifically, policies WLP8.37 and WLP8.39).
- 8.4 The Southwold Neighbourhood Plan ("SNP") is at a very advanced stage, having passed through independent examination and found sound. The referendum for the SNP will take place on Thursday 3 February 2022. Therefore, the policies in the SNP can now be given significant weight in the decision-taking process.

9. Planning considerations

- 9.1 The key issues with this application are impact on living conditions of nearby residential properties; and impact on the significance of Southwold Conservation Area.
- 9.2 The appeal decision for the approved scheme is appended to this report, but two key paragraphs from that decision are quoted below that should be borne in mind when considering the application:

"7. This pavilion is a simple glazed roof on a lightweight aluminium framework, also glazed. The pavilion's mainly flat roof has a middle section with a shallow pitch. The pavilion is set back from the perimeter of the roof terrace, behind the planters and seats that surround the terrace, which keep people away from the parapet. I consider that it complements the existing design, rather than detracts from it. As to its prominence in the Conservation Area, it would be seen from 2 near viewpoints and some private gardens, but would not be unduly prominent. Regarding longer distance views, from what I saw at my site visit and the photos submitted by the Council, it appears that the roof of White Point can only be seen from a small part of Southwold Common. From this distance, the staircase turret can be made out, but the pavilion would intrude to such a small extent that it would have no appreciable effect in the view."

“8. I have taken account of all other matters raised, including previous schemes that have been refused, and the concerns of neighbours about privacy and overlooking. So far as the latter is concerned, the roof was designed as a terrace, and the effect on overlooking and privacy, such as it is, will be no greater with the pavilion. It is true that the pavilion will allow the terrace to be used in inclement weather, but at such times there will be little use made of gardens and patios, etc. None of the concerns raised amount to a significant matter that would warrant the withholding of permission.”

Residential Amenity

- 9.3 Addressing the key issues, impact on local living conditions from the built structure is a relatively simple consideration and officers concur with the Inspector’s considerations above. The existing roof terrace at White Point does allow for views into residential properties, particularly the rear gardens of properties on York Road and Godyll Road. Officers visited the site and stood on the roof terrace, at the building edge, and noted the degree of overlooking. There is, in most cases, at least 20 metres from the terrace and the rear elevations of dwellings on York Road and Godyll Road, so the overlooking is more of rear garden areas, rather than into rooms within those properties. That overlooking is possible irrespective of the roof pavilion, as the Inspector correctly noted. The pavilion is set away from the edge of the building so overlooking from within it is no worse than when one is standing on the terrace. The Inspector’s point about use of the pavilion in inclement weather is noted, but there is also an argument that in such weather residents at Godyll Road and York Road are less likely to be using their own outdoor spaces.
- 9.4 In amenity terms, the planning position is that the same extent of overlooking of residential properties can occur from the roof terrace, and likewise if the applicant were to revert back to the detail of the approved scheme. Therefore, this application raises no new amenity concerns in that regard.
- 9.5 Some local comments repeat that the extension is ‘illegal’; that is incorrect. It is entirely lawful to apply for planning permission in the manner sought.
- 9.6 In terms of concerns raised about electricity supply to the pavilion, this is not likely to be a significant amenity issue. There is no reasonable planning position to prevent power supply to any outbuilding or extension linked to a residential dwelling. It is accepted that when illuminated internally during dark hours, that will make the pavilion more visible from the local area. However, that would not be harmful to local living conditions. This is a suburban context with a fairly dense pattern of development, and nearly all buildings will have rooms lit to some extent during darker hours. In that context, the pavilion will not appear alien, and this is not a remote, rural landscape context where light spill would be a significant issue. In the approved scheme the Inspector did not prevent electricity supply to the pavilion when granting permission, and there would again be no planning reasons to do so with this application.
- 9.7 The majority of neighbour comments on the scheme relate to the appearance of the development, and that is largely a design and conservation area impact consideration to be addressed later in this report.
- 9.8 For the reasons given, the amenity impact from the development is considered to be acceptable in accordance with the amenity objectives of WLP8.29 (Design).

Design and Conservation Area Impact

- 9.9 Policies WLP8.29, WLP8.37 and WLP8.39 work together to, amongst other things, support development proposals of a high-quality design that preserve or enhance their historic context. Officers have also had regard to the content of the Council Historic Environment Supplementary Planning Document (SPD) in considering this application. Policy SWD6 (Design) of the SNP is also a key material consideration and sets out:

“In order to create high quality buildings and places that are beautiful and enduring, development proposals should be informed by the National Design Guide as appropriate to their scale nature and location and respond positively to its principles.

All planning applications should demonstrate, either through the Design and Access Statement where this is required or through sufficiently detailed plans and documents, that they have:

- A. understood and followed the process for creating high quality design set out in the National Design Guide;*
- B. understood and proposed design that is sympathetic to and in keeping with the best of the prevailing local character area;*
- C. maximized the opportunities to improve the quality of design;*
- D. positively addressed the Recurrent Design Issues and area-specific Sensitivities and Susceptibilities identified in the Southwold Character Area Appraisal (SCAA) and reinstated character where the SCAA identifies opportunities for this; and*
- E. where relevant, addressed heritage management issues identified in the Southwold Conservation Area Appraisal.*

Development proposals which do not demonstrate their compliance with the design principles A – E above will not be supported.”

- 9.10 It is clear from the planning history and the refusal of DC/18/2428/FUL that the Council has always had concerns, in principle, about a pavilion atop the roof of the building in terms of design and conservation area impact. However, the Inspector did not agree with that conclusion and allowed the appeal, granting permission for the approved scheme. That approved scheme represents the fallback position that the applicant could revert to and is thus a key material consideration in the determination of this application.
- 9.11 That the design of the as-built pavilion responds to input from engineers and building control inspector's, does not mean that the approved scheme is no longer a viable fallback position, in planning terms. There is no evidence to suggest that the approved scheme could not feasibly be constructed in a manner that would meet building regulations; it may just be technically more complex, and costly, to achieve that. In planning terms, though, the approved scheme is the fallback position that should be given significant weight in the planning balance.
- 9.12 In terms of Conservation Area impact, officers visited the site and walked the surrounding context to inform the recommendation. It is accepted that there are some views of the pavilion from Southwold Common, however those views are limited and at times of the year will be filtered through tree canopies. In winter months, there are views through/past properties on Godyll Road and York Road where the pavilion can be seen. However, these

views are quite limited, and officers conclude that one has to actively go to the Common and 'look' for the pavilion; it does not present itself in an obtrusive way, nor is it prominent from the Common. Most views of the pavilion from the Common include significant residential development in the foreground, so it just reads as part of the wider built context. It is really only from the Common where there could be impact on the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and, for the reasons given, the pavilion does not cause harm to that landscape designation.

- 9.13 From within the gardens and rooms of nearby residential properties, particularly on Godyll Road and York Road, the pavilion is visible. However, those are not public vantage points. Where the pavilion is most publicly visible is from ground level on roads near to the site: Blackmill Road, Eversley Road, and Wymering Road.
- 9.14 There are two particular locations where the pavilion is most prominent: from the junction between Eversley Road and Wymering Road (looking north); and then as one approaches the site from the east along Blackmill Road. The original design feature of the turret in the north-eastern corner of the building was clearly in acknowledgement of those key views.
- 9.15 In all other locations on the ground, views for pedestrians moving through the Conservation Area are much more limited. Because the building at White Point is quite tall, and the pavilion is set away from the edges of the roof terrace, one mostly notices the upper half of the pavilion, and the roof turret still appears the main feature that draws the eye.
- 9.16 Compared to the approved scheme, the constructed pavilion has a flat roof form and more box-like appearance. It is similar though in that it is largely glazed. On the eastern side the elevation is slightly angled, rather than running exactly parallel to the edge of the main building. The constructed pavilion does not have an extended eaves overhang, nor skylight atop. However, the constructed pavilion is much simpler in its overall form. The height of the pavilion relative to the turret is considered acceptable, as it remains subordinate to that key building feature. Even in the most prominent view from Blackmill Road, the pavilion appears subordinate to the turret.
- 9.17 The submitted plans/details show a simple short, glazed link between the pavilion and roof turret. The plans also show a simple flashing and drip gutter detail that, once completed, would be acceptable.
- 9.18 The design of the pavilion as-built is clearly different to the approved scheme, but comparing the two, officers conclude that they would have generally the same impact on the Conservation Area. Officers conclude that the presence of the roof pavilion as-built causes some limited harm to the conservation area in the two key viewpoints referenced in paragraph 9.14. In this sense, the development is in conflict with policies WLP8.29, WLP8.37 and WLP8.39 of the Local Plan, in addition to policy SWD6 of the SNP. However, that same extent of harm would likely arise from the approved scheme.
- 9.19 Where any 'less than substantial' harm to the conservation area would arise, the NPPF test at paragraph 202 is engaged:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

- 9.20 There are no public benefits from this development that officers can identify. That being said, the planning balance also needs to have regard to all other material considerations, and that planning balance is undertaken in the conclusion of this report.

10. Conclusion

- 10.1 The approved scheme is a key material consideration in the determination of this application. The development subject of this application is assessed on its own merit, but significant weight should be given to the approved scheme under DC/18/2428/FUL. Ultimately, if this application were to be refused, any following enforcement action by the Council would be limited to requiring the applicant revert back to the approved scheme, as shown on the approved plans. There could not be an enforcement position of preventing any pavilion structure on the roof terrace.
- 10.2 The constructed pavilion is visible from the Southwold Conservation Area, however views from Southwold Common are limited. Whilst the constructed pavilion differs from the approved scheme, it is not considered to cause any additional impact on the Conservation Area. Overlooking from the pavilion is no worse than what can be achieved from the existing roof terrace, and again this same overlooking would occur from the approved scheme.
- 10.3 The local concerns have been considered and it is acknowledged that failure to discharge the pre-commencement condition attached to the approved scheme is unfortunate, likewise that the built structure differs from the approved scheme. However, that cannot be considered when determining this application on merit, and retrospective applications must be considered without prejudice.
- 10.4 For the reasons given, the scheme would cause some limited harm to the significance of the Conservation Area, but the key material consideration is the approved scheme – which officers consider would have the same impact in this regard. Accordingly, that limited Conservation Area harm and conflict with policies WLP8.29, WLP8.37, WLP8.39 and SWD6 is outweighed by the fallback position of the approved scheme.
- 10.5 Accordingly, there are material reasons to grant planning permission for the development.

11. Recommendation

- 11.1 Approve.

12. Conditions:

1. The development shall be carried out in accordance with the following plans/drawings: 'Roof Plan' (1:20), 'Floor Plan' (1:20), 'Eaves Details', 'Roof Details' and 'Fabrication Details'; all received 09 August 2021.

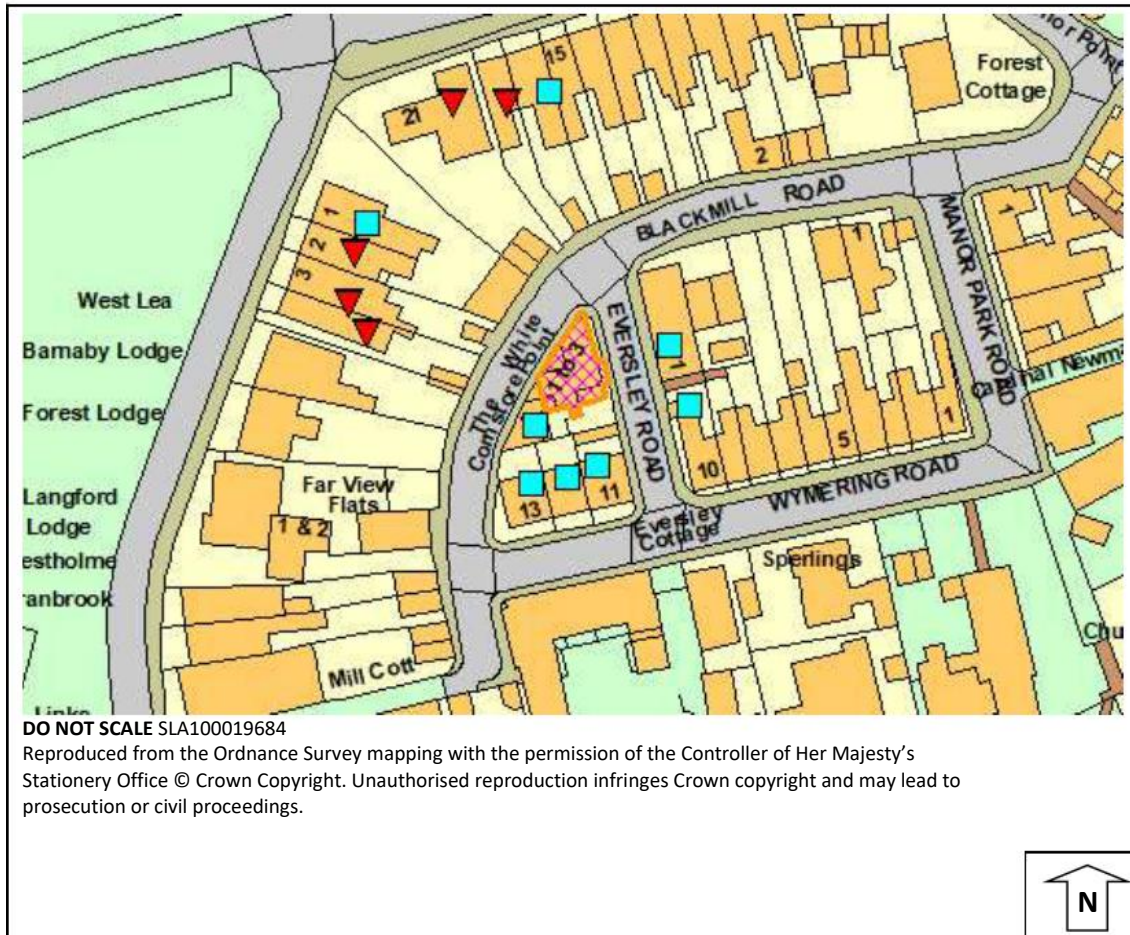
Reason: for the avoidance of doubt as to what has been considered and approved.

13. Background Papers





See application reference DC/21/3789/FUL on [Public Access](#)

Appendix 1: Appeal Decision DC/18/2428/FUL (APP/T3535/W/19/3220766)

14. Map



Key

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

Appeal Decision

Site visit made on 1 April 2019

by Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2019

Appeal Ref: APP/T3535/W/19/3220766

3 White Point, Eversley Road, Southwold, Suffolk, IP18 6AW.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Munro against the decision of Waveney District Council.
 - The application Ref DC/18/2428/FUL, dated 1 June 2018, was refused by notice dated 30 October 2018
 - The development proposed is construction of a glazed pavilion to roof terrace
-

Decision

1. The appeal is allowed and planning permission is granted for a glazed pavilion to roof terrace at 3 White Point, Eversley Road, Southwold, Suffolk, IP18 6AW in accordance with the terms of the application, Ref DC/18/2428, dated 1 June 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans that are date stamped as being received by the Council on 8 June 2018: Roof Plan, West and East Elevations, Part Elevation/Part Section, and Elevation from Eversley Road, Blackmill Road Corner.
 - 3) No development shall commence until detailed drawings of the following matters shall have been submitted to the local planning authority and approved in writing: (i) eaves and verges; (ii) glazed rooflight; and (iii) junction details with the existing staircase tower. The developer shall notify the Council in writing when the development commences, and the approved details shall be implemented in their entirety not later 6 months from the date of that notification.

Main Issue

2. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of Southwold Conservation Area.

Reasons

3. Section 72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. In doing so I should have regard to the development plan policies, which are quoted as

Policies CS02, CS17, DM02 and DM30 of the Core Strategy DPD¹ and Development Management Policies DPD². These seek high quality design, to protect and enhance the District's historic environment, particularly the character and appearance of conservation areas.

4. The Southwold Conservation Area Character Appraisal notes that this part of the conservation area consists mainly of late 19th Century and early 20th Century residential development, comprising large terraced or semi-detached houses at a high building density and where the streetscape is building dominated. There are no listed buildings immediately adjacent to the appeal site but most of the buildings in the vicinity are identified in the Conservation Area Appraisal as being buildings of local importance.
5. The appeal site is one of a number of flats created from a former British Legion building. It is the first floor flat and includes a roof terrace served by an enclosed staircase, which is a 'turret' structure with pyramid roof on the northern corner of the building. Around the perimeter of the roof terrace are planters with a built-in watering system. The roof also contains a light well. The building is of a pleasing modern design. In my opinion the interest created by this building adds to the character and appearance of the Conservation Area.
6. The appeal proposal is criticised by the Council as not in keeping with the existing building, pointing out that the existing turret was designed to be a focal point, making a very strong architectural statement. Attaching the proposed additional structure is said to dilute its visual impact, adding visual clutter to the clean roofline of the building. It is said that it would appear as a discordant feature, not relating to anything else in the area.
7. This pavilion is a simple glazed roof on a lightweight aluminium framework, also glazed. The pavilion's mainly flat roof has a middle section with a shallow pitch. The pavilion is set back from the perimeter of the roof terrace, behind the planters and seats that surround the terrace, which keep people away from the parapet. I consider that it complements the existing design, rather than detracts from it. As to its prominence in the Conservation Area, it would be seen from 2 near viewpoints and some private gardens, but would not be unduly prominent. Regarding longer distance views, from what I saw at my site visit and the photos submitted by the Council, it appears that the roof of White Point can only be seen from a small part of Southwold Common. From this distance, the staircase turret can be made out, but the pavilion would intrude to such a small extent that it would have no appreciable effect in the view.

Other matters

8. I have taken account of all other matters raised, including previous schemes that have been refused, and the concerns of neighbours about privacy and overlooking. So far as the latter is concerned, the roof was designed as a terrace, and the effect on overlooking and privacy, such as it is, will be no greater with the pavilion. It is true that the pavilion will allow the terrace to be used in inclement weather, but at such times there will be little use made of gardens and patios, etc. None of the concerns raised amount to a significant matter that would warrant the withholding of permission

¹ Waveney District Council Core Strategy Development Plan Document, Adopted January 2009.

² Waveney District Council Development Management Policies Development Plan Document, Adopted January 2011.

Conclusion

9. White Point is of very modern design, with light rendered walls and much use of glass and stainless steel. It is different from the other buildings in the vicinity, but makes its own contribution to the Conservation Area. I consider that the proposed pavilion is in keeping with the original design, so that White Point and the appeal proposal will preserve or enhance the character or appearance of the Conservation Area. Therefore the appeal proposal is in conformity with Policies CS02, CS17, DM02 and DM30, and I will allow the appeal.

Conditions

10. A number of conditions have been suggested by the Council. I have considered these in the light of Planning Practice Guidance (PPG). For clarity and to ensure compliance with the PPG I have amended some of the text. The conditions require i) compliance with the details shown on the application drawings, and ii) that specific details of eaves and verges, the glazed rooflight and junction details with the staircase tower be submitted for approval by the Council. I agree that these are necessary i) to provide certainty, and ii) to ensure the satisfactory appearance of the development in the interests of preserving or enhancing the character or appearance of the conservation area, since the application did not include these elements in sufficient detail.
11. The last condition as suggested by the Council requires the approved details to be implemented in their entirety before the building is first occupied. This is inappropriate because the building and roof terrace are already occupied. I have therefore framed the condition so that there is a period for compliance that follows from the commencement of the development.

Terrence Kemmann-Lane

INSPECTOR

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/4575/FUL

Location

114 Clarkson Road
Lowestoft
Suffolk
NR32 3NX

Expiry date 5 December 2021

Application type Full Application

Applicant Mr & Mrs Woodrow

Parish Oulton Broad

Proposal Proposed two storey side extension with set back, as well conversion of garage. Increase to parking area at front of property.

Case Officer Debbi Wicks
07584 642000
debbi.wicks@eastsoffolk.gov.uk

1. Summary

- 1.1 This application has triggered automatic referral to Planning Committee (North) for determination as the applicant is an employee of East Suffolk Council. The proposal is recommended for refusal by officers, on design grounds, but is supported by Oulton Broad parish council. It is important to note that the application is presented to Planning Committee for transparency over planning applications submitted by an employee of the Council and such presentation for consideration should not be seen as an advantage or disadvantage in decision making. The support of the Parish Council in this case would have led to consideration for a delegated decision via the Referral Panel under normal circumstances and therefore that influence has not led to this case being presented to the Planning Committee.

2. Site description

- 2.1 The application site is a detached house, dating from the 1970's and is one of a distinct group of matching dwellings in short plots that back onto the Oulton Broad Primary School

playing field, along the north side of Clarkson Road in Oulton Broad. The site sits within the Rock Estate as it is known locally; a residential suburb comprising a mix of single and two storey modern dwellings where the topography is quite hilly. No.114 is positioned centrally within a row of five properties, numbered 110-118, of the same original house type construction and these are laid out at regular intervals down the hill from east to west. There is also a sharp drop in levels at the rear of the site, between the house and garden and again down to the playing field behind. Whilst no.110 has been altered in appearance by the loss of rendering to the front and addition of a boundary enclosure, the other four remain very similar visually, despite some change in the form of porches and fenestration.

3. Proposal

- 3.1 The application proposes a two-storey extension to the east side of the property, containing a storeroom and utility at ground floor with two additional bedrooms above. The detached flat roofed garage to the rear would also become linked to the dwelling and converted as an extension of the kitchen and dining room, with a pitched roof added. The two-storey element would have a full height roof; perpendicular to the main gabled roof and be positioned hard up to the eastern site boundary, leaving a gap on the neighbour's side of 700mm between the extension and the neighbour's house wall and also set back 700mm from the front wall. The ground floor element, incorporating the garage space, would total 14 metres in length along the boundary and the height above adjacent ground level would increase from three metres to four metres at the northern end. A front porch has already been erected and the door relocated from the side to the front; the proposed drawings show that the whole site frontage would be surfaced to provide parking for up to three cars.

4. Consultations/comments

- 4.1 Two objections have been received, though from the same household, no.112 Clarkson Road, which is the most affected neighbour to the east side.
- 4.2 This neighbour (and his daughter) raise three particular concerns. The primary objection relates to a non-planning issue, which is the potential for health concerns arising from the close proximity of the extension to the neighbour's external flue outlet on their side wall and the effect on emissions. This is not a material planning consideration and cannot be considered, despite the Parish Council's comments (see below).
- 4.3 The second concern raised by the neighbour is the loss of light to their two side windows, one of which is at ground floor height and the other at first floor. Both are secondary windows and so are not relied upon for light entering the front living room and rear bedroom. As the proposed first floor extension would not project beyond the existing front or rear walls, outlook from principal windows would not be affected and neither would light levels in respect of the affected rooms to a significant degree. Therefore, the light impact to the neighbour's side windows would not justify refusal of this scheme.
- 4.4 Finally, the neighbour states that the narrow passageway created could cause excessive water flow off the applicant's drive and down between the buildings and into his garden which is already heavily sloped, with these steep levels changes already causing problems. Again, surface water management would be an issue for Building Control at a later stage, should building take place and would not be a material factor in the determination of this application, though is noted.

5. Consultees

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	13 October 2021	5 November 2021
Summary of comments: OBPC Planning Committee met on 1/11/2021 and would like to recommend approval. Subject to building control regarding the neighbours flue, and the applicant being responsible for the flue.		

Consultee	Date consulted	Date reply received
SCC Highways Department	13 October 2021	No response
Summary of comments: no response		

6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 22 October 2021

Expiry date: 12 November 2021

7. Planning policy

National Planning Policy Framework 2021 (NPPF)

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

8. Planning considerations

- 8.1 Development proposals are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The key policy in this case is WLP8.29 (Design).
- 8.2 With this application the key consideration is the impact upon the streetscene character arising from infilling the gap between two properties within the grouping, followed by neighbour amenity and parking impact.
- 8.3 The relevant policy is WLP8.29 of the East Suffolk Waveney Local Plan. This policy states that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should:

- Demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness;
 - Respond to local context and the form of surrounding buildings in relation to:
 - the overall scale and character, layout, site coverage, height and massing of existing buildings, the relationship between buildings and spaces and the wider street scene or townscape and by making use of materials and detailing appropriate to the local vernacular;
 - Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;
 - Protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development;
 - Provide highway layouts with well integrated car parking and landscaping which create a high-quality public realm, avoiding the perception of a car dominated environment;
- 8.4 Applying the four criteria above to this specific proposal, it is considered that the development fails several of these, in particular the scheme would not respect the very uniform pattern and layout of the original design concept of this particular group of dwellings, which are presently very evenly spaced in between no's 110-118 Clarkson Road. The existing setting out of the buildings and their rooflines have been deliberately planned to step down at regular intervals, corresponding with the decline in ground levels and this well-designed rhythm would be completely disrupted by the addition of a tall side extension in the middle that would significantly alter the pattern and result in no's 110 and 112 almost appearing to be attached as there would be just 300mm between the roofs of these two properties.
- 8.5 The proposed loss of space around the dwelling, with just a small gap to the western boundary remaining, would be out of character with the surrounding pattern of the streetscape, resulting in a cramped appearance and loss of coherence to the group as a whole. The site would also appear overdeveloped, and its visual appearance would be eroded by relocating the current parking provision for three spaces (including the garage) from the side driveway to the front of the house, at the expense of a landscaped front garden. This would further contravene the policy on design grounds by creating a car dominated frontage, necessitated by the re-use of existing provision and increase in number of bedrooms.
- 8.6 It is noted that neighbouring properties within this group (112 and 118 Clarkson Road) have both added shallow two storey rear extensions of depths of 2-2.5m in order to increase their floorspace, without detracting from the streetscene and in keeping with the modest plot dimensions and rear garden depth. No other options for extending to the rear have been put forward by the applicant in this case, and no pre-application advice was sought.
- 8.7 In relation to the garage conversion, that part of the proposal would be exempt from requiring planning permission, although linking it into the main house by infilling the corner would be controlled, as would the addition of a pitched roof due to its height exceeding 2.5m. Officers have some concern regarding the height increase of the single storey rear wing due to its length and proximity to the boundary as there would be increased shading arising to the neighbour's outdoor space and living room due to the development being due west in orientation.

9. Conclusion

- 9.1 The scale, height, and massing of the proposed two storey side extension would contravene policy WLP8.29 by not responding to the local site context in a respectful manner, thereby resulting in a detrimental impact to the streetscene and should be resisted in principle. The single storey rear element raises concerns in respect of neighbour amenity from the increased height proposed.

10. Recommendation

- 10.1 Refusal on grounds of design and amenity impact.

- 10.2 The reason for the decision to refuse permission is:

The proposed two storey side extension would result in a cramped and discordant feature in the streetscape, by virtue of its design, siting, scale, height and massing, which would not respond to the local site context in a sympathetic manner, causing harm to the spatial layout along this part of Clarkson Road and resulting in a car dominated frontage. The combined length and increased height of the proposed single storey rear element on the boundary would adversely impact upon the neighbour's amenity by its dominating impact and increased shading. Both aspects contravene policy WLP8.29 of the East Suffolk Waveney Local Plan, adopted 2019.

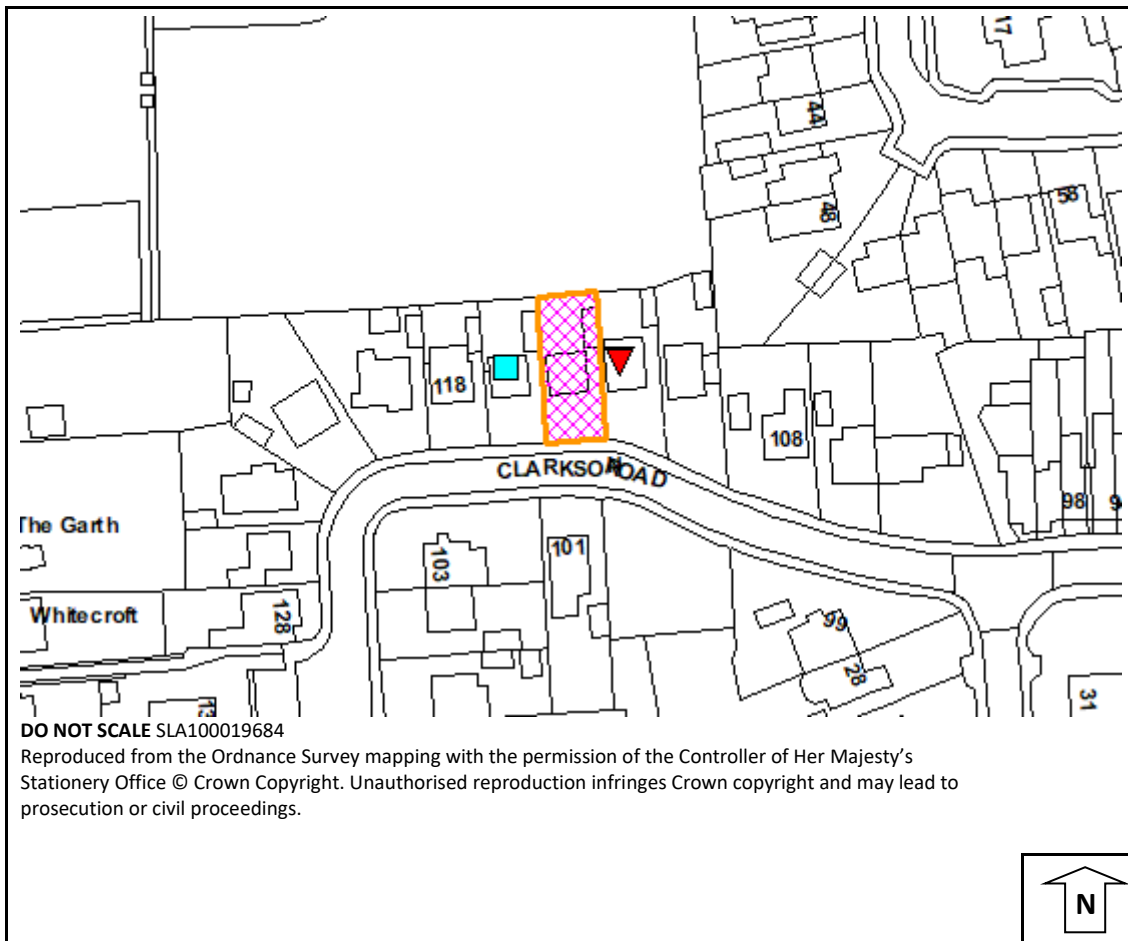
11. Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. 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.
2. For the avoidance of doubt, the drawing considered in the assessment of this application was plan No. 2834.21.2B and the Site Location Plan.

12. Background Papers

See application reference DC/21/4575/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 January 2022

Application no DC/21/5114/FUL

Location

315 London Road South
Lowestoft
Suffolk
NR33 0DY

Expiry date 12 January 2022

Application type Full Application

Applicant Helen Johnson

Parish Lowestoft

Proposal Change front windows and door

Case Officer Debbi Wicks
07584 642000
debbi.wicks@eastsoffolk.gov.uk

1. Summary

- 1.1 This application proposes to replace the non-original front windows and door at an unlisted property in the Conservation Area. The proposals are judged to be compliant with policy guidance for this type of development and no objections have been received from any interested parties. The proposal accords with the Development Plan and will preserve the Conservation Area.
- 1.2 As the applicant is an employee of East Suffolk Council, the application has been referred direct to Planning Committee (North) for determination.

2. Site description

- 2.1 The site comprises a three-storey terraced Victorian house situated on the west side of London Road South in the Kirkley and Pakefield area of Lowestoft. This road is one row back from the seafront and promenade and neither the site, nor any of its close neighbours are listed; however, the site does fall within the South Lowestoft Conservation Area and is of

some architectural and historic merit. London Road was originally the principal traffic route through the town but has been bypassed in recent years; however, it remains a busy, tree lined thoroughfare, with on street parking down both sides as traffic travels one way.

- 2.2 The application property sits close to a crossroads junction with shops and a church and is the second last dwelling in a long residential terrace. An Article 4 Direction applies to all dwellings in the conservation area, as an added control which has removed permitted development rights for all works to dwellings fronting the highway, in an attempt to steer replacement proposals back towards an appropriate and consistent design approach. The application property and the neighbour on each side each contain replacement windows already.

3. Proposal

- 3.1 Presently there are three softwood casement windows in each of the upper and lower bay windows, plus a seventh, narrower window above the front door and a small square window in the attic gable. The attic window has previously been replaced and does not form part of this scheme, which proposes to replace the other seven front windows which are in a poor state of repair and also the modern timber front door, which is weak and damaged.
- 3.2 The replacements proposed are Eco Slide uPVC double glazed sash windows with vertical glazing bars and horns replicating the design of the original windows still evident in some front elevations along the street. The door will be upgraded to a sturdy composite door, correctly detailed to the appropriate design.

4. Consultations/comments

- 4.1 No representations have been received.

5. Consultees

Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	19 November 2021	1 December 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 30 November 2021. It was agreed to recommend approval of the application subject to the window aspect of the application being considered by the East Suffolk Council Windows Scoring Policy		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	26 November 2021	17 December 2021	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	26 November 2021	17 December 2021	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 25 November 2021 Expiry date: 16 December 2021
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7. Planning policy

National Planning Policy Framework 2021

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

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

8. Planning considerations

- 8.1 Pursuant to section 38(6) of the Planning and Compulsory Purchase Act (2004), all applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 Under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council has a statutory duty, in decision-taking, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This statutory duty is reflected in the Historic Environment objectives of the NPPF and Local Plan Policy WLP8.39.
- 8.3 The Historic Environment Supplementary Planning Guidance was adopted in June 2021 and sits alongside conservation policy WLP8.39. Policy requires that:

“Development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. Proposals for replacement doors, windows and porches in conservation areas where Article 4 Directions are in place must be of a suitable design and constructed in appropriate materials. Applications will be assessed with reference to the prominence of the location, the historic and architectural value of the building and the historic and architectural value of the feature to be replaced.”

- 8.4 Applying these criteria to the specific site, the property is in a fairly prominent location, where the public realm is important to maintaining the overall character of the designated conservation area. The existing windows are of no historic value and have clearly deteriorated badly. They are also of an inappropriate design, having top hung smaller openings which detract visually and negatively impact upon the area as they jar with the central rails of the correct sash window design. A key element of the Article 4 imposition was to restore uniformity, particularly in a terraced situation and the proposed reinstatement of the sash window style is very much welcomed as it would achieve that aim.
- 8.5 The adjoining property to the north (no.313) has the same, recently fitted uPVC windows and composite door as those currently proposed for number 315 and there is also an application pending at no.317, attached at the south side, again for the exact same windows which would cumulatively result in a return to the uniformity of design along the row. This consistent approach is further evident opposite the site, where replacement uPVC sash windows have been fitted and due to their high quality, the choice of uPVC over wood has not resulted in any aesthetic harm arising; instead, the area has been improved and enhanced by these recent refurbishments and this positive effect would be continued by allowing the replacement windows as currently proposed.
- 8.6 Similarly, the front door would also benefit from being upgraded to a more solid version, matching that of its adjoining neighbour. uPVC doors are generally discouraged in the conservation area; however, a composite material is acceptable for unlisted buildings where it represents an improvement on the current situation and in this case, as half the existing door is boarded over due to being broken, there is no objection raised to the new door with its authentic styling and glazing repeated only in the top half.

9. Conclusion

- 9.1 The proposed changes to the front fenestration accord with the objectives of WLP8.39 and the Historic Environment SPD. The works will preserve the character and appearance of the conservation area in accordance with the NPPF and the Council's statutory decision-taking duties in respect of designated heritage assets.

10. Recommendation

- 10.1 Approve with conditions detailed in section 11, below.

11. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan, Window spec details and Elevation A921 received 15th and 19th November 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

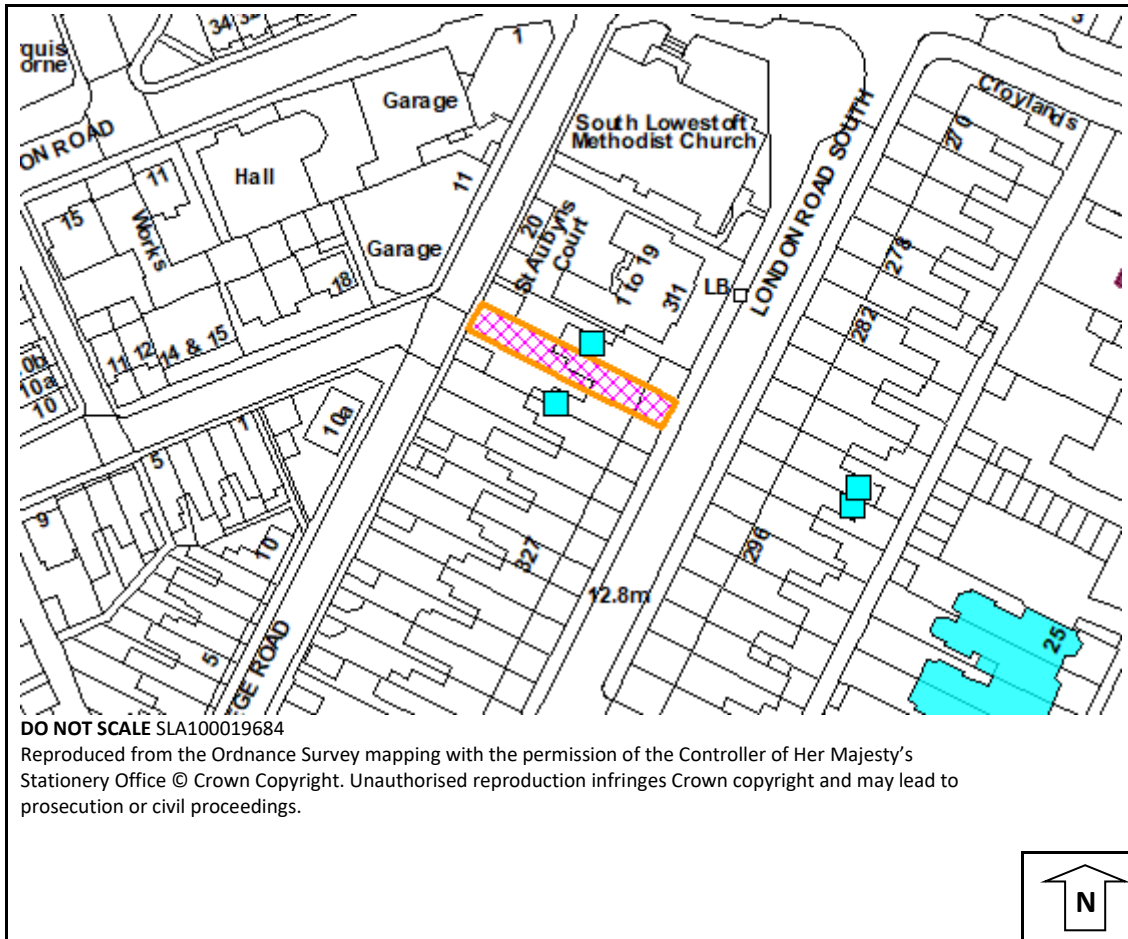
Informatives:

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

Background Papers

See application reference DC/21/5114/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support