



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

Planning Committee North

Members:

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

Members are invited to a **Meeting of the Planning Committee North**
to be held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 11 April 2023 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube
Channel at <https://youtu.be/93MJQ0EENtQ>

An Agenda is set out below.

Part One – Open to the Public

Pages

1	Apologies for Absence and Substitutions
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2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, 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	Minutes To confirm as a correct record the Minutes of the Meeting held on 14 March 2023.	1 - 8
5	2022 Quality of Place Awards To receive a presentation from the Design and Conservation Officer on the 2022 Quality of Place Awards.	
6	East Suffolk Enforcement Action - Case Update ES/1521 Report of the Head of Planning and Coastal Management	9 - 26
7	DC/22/3156/ARM - Town Farm, Loam Pit Lane, Halesworth, IP19 8EZ ES/1526 Report of the Head of Planning and Coastal Management	27 - 61
8	DC/22/4341/FUL - 25 Cotmer Road, Lowestoft, NR33 9PN ES/1522 Report of the Head of Planning and Coastal Management	62 - 74
9	DC/23/0283/FUL - 6 Healey Close, Lowestoft, NR32 4WZ ES/1523 Report of the Head of Planning and Coastal Management	75 - 79
10	DC/22/4246/FUL - Admiral House, The Street, Walberswick, Southwold, IP18 6UE ES/1524 Report of the Head of Planning and Coastal Management	80 - 89
11	DC/22/4189/FUL - Leiston Town Athletics Association, Victory Road, Leiston, IP16 4DQ ES/1525 Report of the Head of Planning and Coastal Management	90 - 97

Part Two – Exempt/Confidential

Close



Chris Bally, 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.

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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.

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,
Riverside, on **Tuesday, 14 March 2023 at 2.00pm**

Members of the Committee present:

Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Andree Gee, Councillor Sarah Plummer, Councillor Craig Rivett

Other Members present:

Councillor Judy Cloke, Councillor David Ritchie

Officers present:

Ben Bix (Democratic Services Officer), Matthew Gee (Senior Planner), Matt Makin (Democratic Services Officer (Regulatory)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Ashdown and Cooper. Councillor Cloke attended the meeting as substitute for Councillor Cooper. Councillor Goldson had also given his apologies having been unable to attend as substitute for Councillor Ashdown.

Councillor Jenny Ceresa, Vice-Chairman of the Committee, chaired the meeting due to the absence of Councillor Ashdown, the Chairman of the Committee.

2 Declarations of Interest

Councillor Cloke declared a Non-Registerable Interest of no direct affect in Agenda item 5 - 11 Wharton Street Bungay due to being known to the property owner. Councillors Brooks and Rivett declared an Other Registrable Interest as Cabinet Members in Agenda Item 7.

3 Declarations of Lobbying and Responses to Lobbying

There were no Declarations of Lobbying.

4 Minutes

Upon the proposition of Councillor Coulam, seconded by Councillor Gee it was unanimously

RESOLVED

That the Minutes of the Meeting held on 14 February 2023 be confirmed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee considered report **ES/1507** of the Head of Planning and Coastal Management, which was a summary of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 23 February 2023. At that time there were 18 such cases.

The Planning Manager - Development Management, Major Sites and Infrastructure advised the committee of two updates since the publication of the report. Firstly, the High Court injunction relating to Land Adjacent to Oak Spring, Darsham had not been complied with, and the matter had been referred to the Council's legal department. Secondly, the notice at 28 Brick Kiln Avenue, Beccles had not been complied with and the matter had also been referred to the Council's legal department.

There being no questions, upon the proposition of Councillor Coulam, seconded by Councillor Gee, it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 23 February 2023 be noted.

6 DC/22/4432/FUL - 9 Glebe Close, Lowestoft, NR32 4NU

The Committee considered report **ES/1505** which related to planning application DC/22/4432/FUL and sought permission for the construction of two single storey dwellings and associated works. The layout and design of the dwellings was identical to that of a previous appeal in which the Inspector concluded would not result in harm to the character and appearance of the surrounding area, nor the living conditions of neighbouring occupiers; and would provide a suitable standard of living accommodation for future occupiers. The application was referred to the Committee by the Referral Panel due to the contrary Town Council recommendation.

The Committee received a presentation from the Planner, who was the case officer for the application. The Committee viewed the site location plan along with a series of photographs of the site and associated 3D visualisations. The previously refused block plan was shown side-by-side with the proposed block plan, together with elevations and floor plans. The Planner explained that the only difference between the refused and appealed scheme and the proposed scheme was a marginal difference in the location of the red line boundary. A contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) had been received which had resolved the sole issue from the previous appeal.

The key issues and material planning considerations were summarised as:

- Site History
- Previous Inspectors' assessment
- Principle
- Visual Amenity
- Residential Amenity
- Highways
- Biodiversity
- Other Matters

The Vice-Chairman noted the history of the site including the poor provision of amenity space along with the existence of a potential plot marked SITE on the location plan and queried whether anything could be done to prevent a further application for 3 dwellings. The Planner cautioned that only the application before Members was for consideration, that the potential plot was not as far as Officers were aware in the ownership of the applicant, and that any future application would be fully assessed if received.

The Vice-Chairman called upon Mr Graham Nourse, agent to the applicant to address the Committee. Mr Nourse welcomed the content of the Officer report and the recommendation for approval of the application. Members were reminded of the history of the site, which included a prior approval and refusal for 2 bungalows, and also included an extant permission for a single bungalow. The Inspector at appeal had established the principle that two bungalows were suitable for the site, the appeal had only been dismissed due to the technicality of the method and location for the RAMS contribution. The Inspector had commented that the existing site comprised of a residential garden, which was very large in comparison to neighbouring gardens and was uncharacteristic of the surrounding area. The appellant had provided evidence to indicate that the density of the development would be lower than that of surrounding dwellings and that the plot sizes would also be comparable, with which the Inspector concurred. The Inspector had added that the site was capable of adequately accommodating the proposed development, such that it would not appear as cramped when viewed from the surrounding area. In conclusion, Mr Nourse again surmised the Inspector's view that the prevailing character of the area was not predominantly free from development. The single storey scale of the proposed dwellings would further limit their visual impact, such that they would not significantly impinge on any sense of openness. In addition, only limited views of the dwellings would be possible from Glebe Close, such that there would not be a harmful urbanising impact. Mr Nourse emphasised that the matter of the RAMS payment had been resolved; that there would be ample turning and parking provision, and that the application was compliant with the Local Plan.

The Vice-Chairman asked Mr Nourse whether the proposal would be the final proposal made by the applicant for the site. Mr Nourse indicated that his understanding was that the applicant was eager to progress the proposal. There being no further questions to Mr Nourse, the Vice-Chairman invited Members to debate the proposal.

Councillor Brooks was mindful that the comments of the Inspector on the previously refused scheme, coupled with the previously approved scheme, indicated that the proposal could not be refused due to the impact of the proposal on the character and appearance of the area. Councillor Rivett was dissatisfied with the proposal but

acknowledged that there were no planning reasons for refusal. Likewise, Councillor Gee was dissatisfied by the perceived overdevelopment of the site. As Ward Member, Councillor Coulam was concerned about parking along Glebe Close and around the bend to Georgian Grove but was cognisant that no objection had been received from Suffolk Highways.

There being no further debate; upon the proposition of Councillor Brooks, seconded by Councillor Rivett a vote was taken and the Committee by a majority

RESOLVED

That planning permission be **GRANTED** subject to conditions:

Conditions:

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

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

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

- Site Location and Proposed Block Plan, 18/112/07 Rev A, received 23/01/2023;
- Proposed Elevation and Floor plans, 18/112/06, received 09/11/2022;

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

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

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

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

4. 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. These details shall include; means of enclosure; car parking layouts; hard surfacing materials. Soft landscape works shall include planting plans; schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

The approved landscaping scheme shall then be completed prior to first occupation of the dwelling, hereby approved. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

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

5. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.

6. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highways shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

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

7. 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. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

8. The use shall not commence until the area(s) within the site on dwg. no. 18/112/07 Rev A for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety

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

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

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

Reason: To promote sustainable transport options

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no alteration or extension shall be carried out at first floor level, or higher, to any dwelling hereby permitted which materially affects the appearance of the dwelling, unless the prior written consent of the Local Planning Authority has been obtained.

Reason: To ensure the satisfactory appearance of the area as a whole, and protect the amenity of neighbouring residents.

12. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Reason: To ensure the development is safe for future occupants and to ensure that any contamination is dealt with correctly.

13. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the

construction period. The Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Wheel washing facilities
- v. Construction and working hours
- vi. Measures to control the emission of dust and dirt during construction
- vii. Measures to limit noise disruption during construction

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

7 DC/22/4881/FUL - Rotterdam Road Depot, Rotterdam Road, Lowestoft, NR32 2EF

The Committee considered report **ES/1506** which related to planning application DC/22/4881/FUL and sought permission to raise the existing part of the roof at the Rotterdam Road Depot to allow over-cladding of the existing roof construction including fascias and bargeboards, to improve the thermal performance and integrity of the building. The application was referred to the Committee due to the applicant being East Suffolk Council.

The Committee received a presentation from the Planning Manager - Development Management, Major Sites and Infrastructure, who was representing the case officer for the application. The Committee viewed the site location and block plan along with photographs of the site. The existing and proposed site elevations were shown together with a materials colour palette. The Planning Manager advised that the proposed works would not extend the building and the proposal was recommended for approval.

The Vice-Chairman invited questions from Members. Councillor Plummer noted the scale of the roof and asked whether solar panels had been included in the proposal. The Planning Manager responded that whilst solar panels had not been included in the proposal, they could be installed in the future, subject to feasibility, without further planning permission.

There being no registered speakers, the Vice-Chairman invited Members to debate the proposal. There being no debate, upon the proposition of Councillor Rivett to approve the application, seconded by Councillor Coulam, it was by a unanimous vote

RESOLVED

That the application be **APPROVED** subject to 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 3024.22.1 & 3024.22.2 received 14/12/2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. 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

The meeting concluded at 2.25pm

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Chairman



Planning Committee North

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

11 April 2023

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 27 March 2023. At present there are 18 such cases.

Information on all cases has been updated at the time of preparing the report such that the last row in the table for each item 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.

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *5 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *8 current cases*

C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *No current cases*

D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current cases*

E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *No current cases*

F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *3 current case*

G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current cases*

RECOMMENDATION

That the outstanding enforcement matters up to 27 March 2023 be noted.

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

A.1

LPA Enforcement Case Reference	ENF/2016/0292
Location / Address	Houseboat Friendship, New Quay Lane, Melton
North or South Area	South
Date of Report of Breach	16.08.2016
<u>Nature of Breach:</u> Change of use of land	
<u>Summary timeline of actions on case</u> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. 20/10/2016 - Enforcement Notice served. Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	24/11/2024

A.2

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/06/2023

A.3

LPA Enforcement Case Reference	ENF/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
<u>Nature of Breach:</u> Change of use of cartlodge to a shop.	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 20/02/2023 – Extension of time agreed to 20/10/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.4

LPA Enforcement Case Reference	ENF/21/0510/DEV
Location / Address	Part Land East Of Chapel Barn Farm, Leiston Road, Aldeburgh
North or South Area	North
Date of Report of Breach	19.11.2021
<u>Nature of Breach:</u> Caravan sited for residential use with new hardstanding and associated works	
<u>Summary timeline of actions on case</u> 16/02/2023 – Operational and material change of use Enforcement Notices served. Both come into effect on the 20/03/2023	

<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/07/2023

A.5

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022
<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u> 28/03/2023 –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal

B.1

LPA Enforcement Case Reference	ENF/2018/0543/DEV
Location / Address	Land at North Denes Caravan Park, The Ravine, Lowestoft
North or South Area	North
Date of Report of Breach	21.12.2018
<p><u>Nature of Breach:</u> 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 laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.</p>	
<p><u>Summary timeline of actions on case</u> 02/05/2019 - Temporary Stop Notice Served and ceased 30/05/2019 24/05/2019 - Enforcement Notice served, came into effect on 28/06/2019 25/05/2019 - Stop Notice Served comes into effect 28/05/2019. 08/06/2020 – Appeal process started. Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 02/02/2021 – Appeal Hearing date. Hearing adjourned until 09/03/2021. Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. 18/05/2021 - Appeal dismissed and partial costs to the Council 18/08/2021 - Compliance with Notice required 31/10/2021 - Extension of time granted for compliance until 31/10/21. 15/11/2021 - Further extension of time granted for compliance until 15/11/2021. 18/11/2021 - Site visited, no works undertaken, case to be referred to legal department for further action to be considered. 20/12/2021 - Certificate of Lawful Use (Proposed) application submitted (reference DC/21/5671/CLP) 12/04/2022 - Certificate of Lawful Use (proposed) refused. 25/05/2022 - Appeal in relation to Certificate of Lawful Use (proposed) refusal started. Hearing process. PINS Reference APP/X3540/X/22/3299754 08/07/2022 – Appeal statement submitted 29/07/2022 – Final date for comments on statements 11/01/2023 – Council applied to the High Court for an Injunction. 30/01/2023 – Case adjourned for legal reasons, awaiting new court date 03/02/2023 – High Court date for an Injunction hearing 18th & 19th May 2023</p>	
<p><u>Current Status/Position</u> Appeal submitted in relation to Certificate of Lawful Use (proposed) refusal. Awaiting appeal decision and court outcome.</p>	

Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision and court outcome.
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B.2

LPA Enforcement Case Reference	ENF/2019/0307/COND
Location / Address	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
North or South Area	North
Date of Report of Breach	16.07.2019
Nature of Breach: Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
Summary timeline of actions on case 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. 07/12/2021 - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645 21/01/2022 - Statements submitted to Planning Inspectorate by 21/01/2022. 01/02/2022 – final comments date for comments on Appeal	
Current Status/Position Awaiting Planning Inspectorate Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.3

LPA Enforcement Case Reference	ENF/20/0131/LISTL
Location / Address	6 Upper Olland Street, Bungay
North or South Area	North
Date of Report of Breach	15.04.2020
Nature of Breach: Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
Summary timeline of actions on case 17/03/2022 - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance. 19/04/2022 - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116 07/06/2022 – Statement submitted 28/06/2022 – final comments due.	
Current Status/Position	

Awaiting Planning Inspectorate Appeal Decision	
Date by which Compliance expected (or prosecution date)	Dependant upon date and outcome of Appeal Decision

B.4

LPA Enforcement Case Reference	ENF/21/0003/DEV
Location / Address	26 Highland Drive, Worlingham
North or South Area	North
Date of Report of Breach	30.12.2020
<u>Nature of Breach:</u> High fence adjacent to highway.	
<u>Summary timeline of actions on case</u> 07/04/2022 - Enforcement notice served and takes effect on 09/05/2022. 2 months for compliance. 25/05/2022 - Appeal start date. Written Representations Procedure. PINS Reference APP/X3540/C/22/3297741 23/06/2022 – Statements submitted 21/07/2022 – target date for comments on statement of case.	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.5

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due.	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision	

Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision
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B.6

LPA Enforcement Case Reference	ENF/21/0121/USE
Location / Address	The Pastures, The Street, North Cove
North or South Area	North
Date of Report of Breach	17.03.2021
Nature of Breach: Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
Summary timeline of actions on case	
03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance 14/11/2022 - Pre-start letter from Planning Inspectorate 14/12/2022 - Appeal started. Written Representations Process, statement due by 6 th February 2023. PINS Reference APP/X3540/C/22/3312353	
Current Status/Position	
Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.7

LPA Enforcement Case Reference	ENF/21/0201/DEV
Location / Address	39 Foxglove End, Leiston
North or South Area	North
Date of Report of Breach	26.04.2021
Nature of Breach: Artificial hedge, support structure and fencing which is over 2m in height	
Summary timeline of actions on case	
28/11/2022 – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance 09/01/2023 - Pre-start letter from Planning Inspectorate	
Current Status/Position	
Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.8

LPA Enforcement Case Reference	ENF/22/0158/DEV
Location / Address	11 Wharton Street, Bungay
North or South Area	North
Date of Report of Breach	20.05.2022
<u>Nature of Breach:</u> Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
<u>Summary timeline of actions on case</u> 28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance 09/01/2023 – Pre-start letter from Planning Inspectorate 31/01/2023 –Start letter received from Planning Inspectorate, statements required by 14 th March 2023.	
<u>Current Status/Position</u> Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period

There are currently no cases at this stage.

D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.

D.1

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)	
<u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. 25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action. 19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30 th January 2023. 30/01/2023 - Court over listed and therefore case relisted for 27 th March 2023	
<u>Current Status/Position</u> Awaiting Court outcome	
Date by which Compliance expected (or prosecution date)	Dependant on Court outcome

E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action

There are currently no cases at this stage.

F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.

F.1

LPA Enforcement Case Reference	EN08/0264 & ENF/2013/0191
Location / Address	Pine Lodge Caravan Park, Hazels Lane, Hinton
North or South Area	North
Date of Report of Breach	20.10.2008
<u>Nature of Breach:</u> 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.	
<p> 15/10/2010 – Enforcement Notice 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 – Enforcement Notices served and became 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 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. 21/04/2017 - Trial date. 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. 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 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. </p>	

<p>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).</p> <p>01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p>13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p>04/02/2019 – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p>26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p>27/03/2019 - High Court hearing, the case was adjourned until the 03/04/2019</p> <p>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-attendance as was required in the Order of 27/03/2019.</p> <p>11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p>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.</p> <p>05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p>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</p>	
<p><u>Current Status/Position</u></p> <p>Site visited. Case currently with the Council's Legal Team for assessment. Charging orders have been placed on the land to recover costs.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent upon potential Legal Process</p>

F.2

LPA Enforcement Case Reference	ENF/2017/0170/USE
Location / Address	Land Adj to Oak Spring, The Street, Darsham
North or South Area	North
Date of Report of Breach	11.05.2017
<p><u>Nature of Breach:</u></p> <p>Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><u>Summary timeline of actions on case</u></p> <p>16/11/2017 – Authorisation given to serve Enforcement Notice.</p> <p>22/02/2018 – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted.</p>	

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 – Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 – Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p>	
<p><u>Current Status/Position</u> In compliance period of High Court Injunction</p>	
Date by which Compliance expected (or prosecution date)	Dependent on Legal Action

F.3

LPA Enforcement Case Reference	ENF/21/0441/SEC215
Location / Address	28 Brick Kiln Avenue, Beccles
North or South Area	North
Date of Report of Breach	29.09.2021
<u>Nature of Breach:</u> Untidy site	
<p><u>Summary timeline of actions on case</u></p> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p>	
<p><u>Current Status/Position</u> In compliance period</p>	

Date by which Compliance expected (or prosecution date)	24/02/2023
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G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue

G.1

LPA Enforcement Case Reference	ENF/2015/0279/DEV
Location / Address	Land at Dam Lane Kessingland
North or South Area	North
Date of Report of Breach	22/09/2015
<u>Nature of Breach:</u> 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.	
<u>Summary timeline of actions on case</u> 22/09/2015 - Initial complaint logged by parish. 08/12/2016 - Case was reopened following further information 01/03/2017 - Retrospective app received. 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. 05/09/2018 - Notice served by recorded delivery. 18/06/2019 - Appeal started. PINS Reference APP/T3535/C/18/3211982 24/07/2019 – Appeal Statement Submitted 05/02/2020 - Appeal dismissed. Compliance with both Notices by 05/08/2020 03/03/2021 - Court hearing in relation to structures and fencing/gates 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. 30/04/2021 - 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. 04/05/2021 - Further visit conducted 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 10 th August 2021 for the structures to be removed 13/08/2021 - Site visited and all structures had removed from the site, but lake remains	
<u>Current Status/Position</u> On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.	

Date by which Compliance expected (or prosecution date)	31/12/2023
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Committee Report

Planning Committee North – 11 April 2023

Application no DC/22/3156/ARM

Location

Town Farm
Loam Pit Lane
Halesworth
Suffolk
IP19 8EZ

Expiry date 6 November 2022

Application type Approval of Reserved Matters

Applicant Badger Building (E. Anglia) Ltd

Parish Halesworth

Proposal Approval of Reserved Matters of DC/18/4947/OUT - Outline Application (Some Matters Reserved) - for up to 190 dwellings (Class C3) with associated access, landscaping, open space and drainage infrastructure at land south of Harrisons Lane, Halesworth. All matters are reserved, save for access - and details to address the requirements of Conditions 2, 5, 6, 7, 10, 15, 16, 17, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33 and 34.

Case Officer Phil Perkin
07585 123438
philip.perkin@eastsuffolk.gov.uk

1. Summary

- 1.1. The site forms part of the Halesworth/Holton Healthy Neighbourhood allocation under Policy WLP4.1 of the local plan which comprises a mixed use development of sports facilities, care home and retirement living units and 215 dwellings. Outline planning permission for up to 190 houses was granted in October 2019 and this application seeks reserved matters approval for 188 dwellings. The application therefore represents a significant proportion of the residential element of WLP4.1.

- 1.2. The reserved matters relate to the appearance, landscaping, layout and scale of the proposed dwellings, together with areas of new open space and the provision of new pedestrian and vehicular accesses into the site from Harrisons Lane. The application also seeks the discharge of a number of conditions of the outline consent. Clear design parameters for the design and layout of the site were established at outline stage and this reserved matters submission works positively with those.
- 1.3. The principle of residential development on the site is established and the reserved matters are considered to be acceptable and in accordance with policies in the Local Plan and sufficient details have been submitted to enable the discharge of conditions. There are no technical barriers to development and whilst noting the local concerns, the proposal complies with the development plan. There are no identified policy conflicts or any material planning harm resulting from the reserved matters proposals.
- 1.4. It is recommended that the application be approved.

2. Site Description

- 2.1. The application site is located on the north eastern edge of Halesworth and it sits half in Halesworth Town and half in Holton Parish. It covers an area of approximately 8.55 ha of agricultural land to the south of Harrisons Lane and Bungay Road. The western part of the site is generally flat before sloping down gently to the lowest part of the site adjacent to Bungay Road to the east.
- 2.2. To the north of Harrisons Lane is established residential development comprising primarily of detached bungalows and houses in generous grounds. Immediately to the west is the site of the former Halesworth Middle School and the North Suffolk Skills Centre. In the southern part of the site are 5 large former poultry buildings. Immediately to the west of these buildings, but lying beyond the boundary of the application site, is Town Farm, a Grade II listed building. The site itself does not contain any designated or non-designated built heritage assets. To the south beyond a field, is new residential development currently under construction and to the east is open countryside with the village of Holton beyond.
- 2.3. There is a public right of way (Public Footpath 7, Loam Pit Lane) running southwards from Harrisons Lane through the site to the southern boundary and beyond to Holton Road, which leads into the centre of Halesworth. There are a number of trees along Loam Pit Lane. There is also a public right of way (Public Footpath 16) running from Bungay Road along the eastern and southern boundaries of the site and linking into Loam Pit Lane (the surface of this has recently been improved with CIL funding). Trees and hedges exist along much of the site boundaries.
- 2.4. The site is allocated under Local Plan Policy WLP4.2 as part of the Halesworth Healthy Neighbourhood comprising residential development, a health care facility and retirement community, sports facilities and education/training facilities.

3. Proposal

- 3.1. Outline planning permission for up to 190 dwellings on the site was granted in October 2019 (Ref. DC/18/4947/OUT) and is subject to a legal agreement covering issues such as

affordable housing, open space and habitat mitigation. The location of the vehicular access into the site from Harrisons Lane was approved as part of the outline consent. This application seeks the approval of the outstanding Reserved Matters of Appearance, Landscaping, Layout and Scale in respect of the previously permitted outline planning permission for up to 190 dwellings, together with areas of new open space and the provision of new pedestrian and vehicular routes within the site.

- 3.2. A total of 188 houses are proposed of which 56 will be affordable houses in accordance with the S106 Agreement. Also included within the layout is space for 9 dwellings as 'self-build dwellings', as required by the outline consent.
- 3.3. A mix of dwelling types and sizes are proposed ranging from one bedroom flats to four bedroom detached houses. Building heights are generally proposed to be two storeys although there are a small number (15) of bungalows mainly located in the southern part of the site. The two blocks of one bed flats in the south western corner of the site extend up to three storey height. Proposed materials include a mix of red and buff bricks, red and grey pantiles, cream render and black boarding. In all there are 15 different house designs across the site.
- 3.4. The main area of open space is located in the southern part of the site. There is further open space provision adjacent to the attenuation basin in the eastern part of the site and the public right of way. Loam Pit Lane will be set within a landscaped corridor of open space. Proposed pedestrian routes include a cycle/footpath along the Harrisons Lane frontage to link into the existing facility to the west; a footpath along part of the southern boundary links the development to the Campus site to the west and links are provided to Public Footpath 16 along the south eastern boundary and to Loam Pit Lane. Footpaths within the development lead pedestrians to the main open space areas.
- 3.5. In addition to the reserved matters this application also seeks the discharge of a number of conditions of the outline consent as detailed in the Planning Considerations section below.

4. Consultations/comments

- 4.1. In response to public consultation 10 letters of objection have been received raising the following matters:
 - Lack of doctors services and school places.
 - The proposal should be considered in conjunction with other proposals in Harrisons Lane and Norwich Road.
 - Traffic generation from a combination of developments - Harrisons Lane is a bus route and already busy.
 - There does not appear to be enough parking within the development.
 - Problems with surface water drainage in wet weather, will the drainage scheme work.
 - The density of development is too high.
 - The pedestrian routes are poorly thought out.
 - Why not position the open space further north so existing residents can benefit
 - The "modern edge" contrasts with existing properties in the locality.

- The loss of good arable land is regrettable
- Residential amenity. Car headlights will shine into our property from the access.
- Houses are too small. Internal floorspace does not meet minimum national standards.
- More houses are not needed in Halesworth.

Consultees

Please note, that due to a consultation error no consultation was sent to Holton Parish Council. They have been contacted and intend to respond in time for the update sheet. Previously they have endorsed the Halesworth Town Council response and may do again.

Halesworth Town Council

Consultee	Date consulted	Date reply received
Halesworth Town Council	18 August 2022	30 September 2022
<p>A review of “DC/22/3156/ARM” Approval of Reserved Matters of DC/18/4947/OUT - Outline Application (Some Matters Reserved) - for up to 190 dwellings Class C3) with associated access, landscaping, open space and drainage infrastructure at land south of Harrisons Lane, Halesworth.</p> <p>1. Initial appearances are of a comprehensive application but when looked at in more detail it is a rather uninspiring housing estate proposal. There is nothing new, exciting or futureproof about this application.</p> <p>2. Design Principles – These are fine very wordy aspirations but also very vague. They can be interpreted in many ways and there is nothing about sustainability or meeting the future challenges of energy costs, global warming etc.</p> <p>3. The plans do not reflect the age in which we live. Although there are proposals for improved insulation there are no modern forms of construction, sustainable energy provision, water and energy conservation measures, sustainable materials, solar gain provision and rainwater harvesting. All these aspects of modern construction should have influenced the way that site was designed so that the houses would meet the requirements of the future and not of the past. There is no evidence of building for the future in the Build and Access Statement.</p> <p>4. Housing Density – The description in WLP4.4 in the Local Plan is for a housing density of 30 per hectare on the 7 hectare site but because a significant area is reserved of the SuDS the density on the built on area could well be higher.</p> <p>5. Access Road – the position is inappropriate as it is directly opposite a property. A better position is opposite the entrance to Warwick Avenue where there is room for a roundabout. 190 dwellings probably equate to between 250 to 300 cars due to there being limited employment within walking or cycling distance; no secondary school; limited tertiary education or apprenticeships; only a poor hourly bus services to Norwich, an infrequent one to Southwold and an hourly train service to Lowestoft and Ipswich. Due to the lack of local employment and very often the need for two salary earners, two cars per household are essential. If there is an adult offspring at home a third car will be needed. A small roundabout at the entrance of Warwick Avenue will increase safety by slowing traffic on Harrisons Lane and ensure easier access and egress from the housing estate.</p> <p>6. Parking – Due to the very close similarity between the colour used to indicate places for resident to park and places for visitors, it's impossible to assess the parking provision. However, there</p>		

would appear to be insufficient, especially for visitors. More parking space needs to be made available if a cluttered streetscape, seen in so many housing estates, is to be avoided

7. Harrisons Lane – It would appear that it has not been recognised that at the eastern end of Harrisons Lane, the road narrows significantly down the hill to the junction with Fair View Road. Harrisons Lane is busy at the normal peak times and will be even busier in the future with the 200+ cars from the estate and the many visitors to the Skills Centre and Campus. Not every car exiting the housing estate, the Skills Centre or the Campus will turn left to Norwich Road. Many will turn right because that is their direction of travel; others will take this route through Holton to avoid the bottleneck junction of Harrisons Lane and Norwich Road.

8. Harrisons Lane/Norwich Road /Old Station Road Junction - There is also a potential dangerous bottleneck being created at the junction of Harrisons Lane and Norwich Rd (with the inclusion of the offset junction with Old Station Rd). Norwich is the main route into and out of Halesworth to and from the North, it's a busy road and exiting right out of Harrisons Lane can be difficult with the added danger of this being a blind junction. The amount of cars forecast to be added to the morning and evening peak travel times will make this junction difficult. A set of traffic lights at this busy intersection would increase safety and ease the flow of traffic.

9. Bins - Bin storage on each property is a good idea provided it is sheltered. However, designated collecting points are an unacceptable idea for the aged, infirm and physically challenged. An alternative arrangement for bin collection must be implemented with bins collected from outside each property.

10. Garages – A significant number of properties do not have a garage. All properties have a garden so where will the residents keep their gardening equipment; their bikes and prams; large hobby and sports equipment, and all the other “stuff” that is part of family life and makes it so enjoyable?

11. Open Spaces and Play Areas – Policy WLP8.29, Design of Open Spaces states

“8.177 Open Space is an essential part of the rural and urban fabric and is a vital resource for local communities. It plays a pivotal role in the quality of life for people from determining a person’s health and well-being, contributing to the character of our townscapes and providing habitats for wildlife. Open spaces should provide facilities that are accessible and meet the needs and expectations of the local community, and ensure communities have a high quality of life for residents and visitors. The types of open space covered by this policy include wildlife areas, natural greenspace, parks and gardens, amenity greenspace, play space, allotments and green corridors. The open space would usually be publicly accessible or with controlled public access.” And “8.179 Each new area of open space should have at least two good street frontages and be well overlooked, with adjacent properties facing the open space as much as possible. Entrances and connections with streets and spaces should also be well overlooked and”.

What is proposed in the master plan is contrary to the requirements if the Local Policy for Open Spaces, WLP8.30. The master plan needs to be amended accordingly and the new design should be inclusive for people of all ages and abilities. There appears to be total lack of any amenity space or play area within the housing area. The open areas are pushed to the outer perimeter of the site where they are not overlooked. WLP1.3 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”* The lack of amenity space and

play areas overlooked and within the site is a major deficiency of this proposal and so it is important that ESC Planning Department implements the relevant Policies of their own Local Plan.

12. Surface Water – The eastern end of Harrisons Lane and Fair View Road are known for their frequent flooding. Since a very large proportion of the proposed site will be covered with impervious hard surfaces and so the risk of serious surface water runoff must not be underestimated. The siting of the proposed SuDS is only a few metres away from the junction of Harrisons Lane and Fair View Road, and is a few metres higher than the junction possibly increasing the risk of flooding off the site. The developer must ensure that whatever surface water handling system is installed it must not increase the risk of flooding on the road leading down to Holton village

13. Site Maintenance - The “Preliminary SuDS Management and Maintenance Plan” states:- *“The responsibility for the maintenance of private drains and permeable block paved driveways rests with householders for features within the curtilage of their own property. Shared private drainage, permeable access roads, the detention basin and perimeter ditches will be maintained by a Management Company on behalf of the residents. The main piped drainage systems are to be adopted by Anglian Water under a S104 Agreement.”*

While this is not a normal planning matter, but how the maintenance of everything within the site but outside the house plots will be managed is critical to the future harmony of residents. The Management Company proposed by the developer must not be the responsibility of the residents and it needs to be agreed before construction work begins.

Conclusion

This master plan needs a radical rethink so as to:-

- improve safety along Harrisons Lane by repositioning the access road, creating a roundabout and widening the narrow approach to Fair View Road.
- build properties to meet the demands of the future using environmentally friendly methods and with sustainability as the objective.
- provide a garage or an equivalent secure storage building on all plots.
- reduce the density of the housing to enable amenity and play spaces to be created between the houses.
- provide more parking space since many house will need 2 or more vehicles to live on this development and work in the area.
- redesign the bin collecting system so that all residents, including the frail infirm and elderly can have their bins emptied without putting them under physical stress.
- implement ESC’s Local Plan’s Policies for Amenity, Play and Open Spaces in full so as to provide a desirable quality of life for the residents and a more attractive streetscape and desirable place to live.
- finalise the management arrangements for site maintenance before construction begins.

Also:-

- There appear to be 29 missing drawings that are listed in the Design and Access statement.
- The aerial photo is of Bungay not Halesworth.
- Halesworth is referred to as a village.
- This shows a lack of attention to detail, worrying in a planning application for 190 houses

Consultee	Date consulted	Date reply received
Natural England	N/A	17 October 2022
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Natural England	23 September 2022	29 September 2022
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
SCC Highways Department	18 August 2022	17 November 2022
Summary of comments: Further information required.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	18 August 2022	1 September 2022
Summary of comments: Holding objection because insufficient information has been submitted to support a surface water drainage strategy.		

Consultee	Date consulted	Date reply received
Sport England	18 August 2022	30 August 2022
Summary of comments: The proposed development does not fall within either our statutory remit or non-statutory remit.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Water Management Alliance	N/A	9 September 2022
Summary of comments: Advisory comments.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	21 September 2022	26 September 2022
Summary of comments: The affordable housing mix is agreed.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	19 August 2022	23 September 2022
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	19 August 2022	23 September 2022
Summary of comments: No objection subject to condition.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	26 September 2022
Summary of comments: Recommends discharge of Condition 31.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	N/A	5 October 2022
Summary of comments: Recommend discharge of conditions 16 and 17 (under review). Asbestos on site requires remediating, therefore conditions 18 and 19 remain outstanding .		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	18 August 2022	17 January 2023
Summary of comments: No further comments.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	18 August 2022	No response
Summary of comments: Internal consultation; see report.		

Consultee	Date consulted	Date reply received
Anglian Water	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	18 August 2022	1 September 2022
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	18 August 2022	8 September 2022
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	18 August 2022	19 August 2022
Summary of comments: The planning obligations previously secured under the earlier planning permission must be binding upon this application.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Spatial Planning And Sub Regional Partnerships Manager	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	18 August 2022	23 September 2022
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	18 August 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Anglian Water	N/A	13 February 2023
Summary of comments: No further comments.		

Re-consultation

Consultee	Date consulted	Date reply received
SCC Flooding Authority	16 February 2023	9 March 2023
Summary of comments: Recommend holding objection at this point to allow a climate change sensitivity check.		

Consultee	Date consulted	Date reply received
Anglian Water	17 January 2023	1 March 2023
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	17 January 2023	15 March 2023
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	17 January 2023	16 February 2023
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Natural England	17 January 2023	8 February 2023
Summary of comments: See previous response.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	17 January 2023	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Halesworth Town Council	17 January 2023	1 February 2023

“DC/22/3156/ARM” Approval of Reserved Matters of DC/18/4947/OUT

It would appear that the revised documents provided by the applicant do not address the concerns raised by neighbours, members of the public or Halesworth Town Council, the very people who have the relevant local knowledge regarding the site.

There has been no acknowledgment and a total disregard by the applicant of the comments made by individuals, who are not statutory Consultees.

Halesworth Town Council recommends that this application be refused until the applicant addresses these concerns and that East Suffolk Council ensures that its Policy guidelines in the Local Plan are implemented.

Reasons for Rejection

1. Design Principles – The 1993 Suffolk Design Guide for Residential Areas (revised 2000) are referred to as the design guideline. However, this document is way out of date and as a consequence there is nothing about sustainability or meeting the future challenges of energy costs, global warming etc. Although there are proposals for improved insulation, there are no modern forms of construction, sustainable energy provision, water and energy conservation measures, sustainable materials and solar gain provision. All these aspects of modern construction should have influenced the way that site was designed so that the houses would meet the requirements of the future and not of the past. There is no evidence of the concept “Building for the Future” in the Build and Access Statement.
2. House Size - Firstly, the vast number of documents and drawings submitted have made it very difficult to assess what is being offered. However, the houses are small for a family to occupy in comfort. There appears to be very little storage space for all the items needed for a family to function and what a purchaser would expect.
3. Housing Density – The description in WLP4.4 in the Local Plan is for a housing density of 30 per hectare. However, because a significant area is reserved of the SuDS the density on the built on area could well be higher. Policy WLP8.31 para 8.191 states that “housing density is calculated using only the site areas which will be developed for housing”. It must be checked that this requirement is met.
4. Access Road – HTC has already commented that the position of the proposed site entrance is inappropriate as it is directly opposite a property. A better position would be opposite the entrance to Warwick Avenue where there is room for a roundabout. 190 dwellings probably equate to between 250 to 300 cars due to there being limited employment within walking or cycling distance; no secondary school; limited tertiary education or apprenticeships; only a poor hourly bus services to Norwich, an infrequent one to Southwold and an hourly train service to Lowestoft and Ipswich. A small roundabout at the entrance of Warwick Avenue will increase safety by slowing traffic on Harrisons Lane and ensure easier access and egress from the housing estate.
5. Harrisons Lane Road Safety – Previous comments by HTC about the Harrisons Lane/Bungay Road junction have been ignored. It appears that it is assumed that virtually all traffic leaving the site will turn westwards towards the Harrisons Lane/Norwich Road junction. However, this junction is already very busy at peak times and this will only be exacerbated by the additional vehicles from the housing estate and by future users of the Campus facilities. As a consequence many drivers

leaving the site and going towards Saxmundham or Lowestoft will use the route Harrisons Lane to Holton to avoid both the bottleneck junction on Norwich Road and having to go through Halesworth. The road width close to the proposed site entrance is approximately 5.2m but down the slope towards the junction with Bungay Road it narrows significantly to 4.6., both less than the advised standard road widths. This is a dangerous junction due its layout and the high sloping banks either side of the last part of Harrisons Lane and thus any increase in traffic will make the junction even more dangerous. As a condition of approving this planning application a S106 agreement is necessary to widen the lower part of Harrisons Way make the junction safe for road users.

6. Harrisons Lane/Bungay Road Pedestrian Safety: - A path runs along the south side of Harrisons Lane, on top of the slope and around the bend where it drops down to Bungay Road. Just short of the junction a series of steps have been added to the plan which go down from the path to the road edge right by the junction on the inside of the bend. Such a dangerous addition can only be considered by someone who has not visited the site. The steps need to be removed for safety reasons.

7. Bins – HTC’s objections to designated refuse bin collecting points has been ignored. They are an unacceptable idea for the aged, infirm and physically challenged and these communal areas will become dumping grounds. An alternative arrangement for bin collection must be implemented with bins collected from outside each property. Also, bin storage on each property should be sheltered and not visible from the street.

8. Garages – As already pointed out by HTC, a significant number of properties do not have a garage. All properties have a garden but there is no provision for storing prams, pushchairs, wheelchairs, toys, cycles etc. and all the other “stuff” that is part of family life and makes it so enjoyable. Not providing storage space for the normal bulky items that residents as part of a modern life style is unacceptable and plans need to be redrawn to include such essential facilities.

9. Parking:- The inadequacy of parking provision for residents will result in the new roads being obstructed by parked cars and job related vans as is experienced on other estates in the neighbourhood. Access for service and emergency vehicles will be difficult. It must be recognised that most households on this site will need two vehicles and many will require 3 -4 vehicles if mature off-springs are to follow apprenticeships, tertiary education or employment.

10. Open Spaces and Play Areas – Policy WLP8.30, under “Layout” states that they should be “safe places with overlooking from nearby dwellings and other active uses and a strong relationship to the street and nearby properties. This is certainly not the case since the open spaces, in particular the proposed play area, are peripheral and screened off by vegetation. ESC must ensure that its Policy guidelines for Open Spaces and Play Areas are implemented by the developer. Also under “Use”, Policy WLP8.30 states that the design should “Provide opportunities for a range of recreational activities to appeal to different ages and abilities”. What is proposed is totally inadequate and an area for playing football and other ball games plus a trim track or something similar should be included in the site plan. It is important that ESC’s ensures that its policy guidelines are implemented.

11. Surface Water – The eastern end of Harrisons Lane and Bungay Road are known for their frequent flooding. Since a very large proportion of the proposed site will be covered with impervious hard surfaces and so the risk of serious surface water runoff must not be underestimated. The siting of the proposed SuDS is only about 14m metres away from the junction

of Harrisons Lane and Bungay Road and the SuDS high water mark is 2.5m higher metres higher than the road junction. There would appear to be a serious possibility of an increase in the risk of flooding off the site. The developer must ensure that whatever surface water handling system is installed it must not increase the risk of flooding on the road leading down to Holton village. Anglia Water must be more than satisfied that there is no risk of surface water run-off increasing the risk of flooding in Holton.

12. Site Maintenance - The “Preliminary SuDS Management and Maintenance Plan” states:- “The responsibility for the maintenance of private drains and permeable block paved driveways rests with householders for features within the curtilage of their own property. Shared private drainage, permeable access roads, the mitigation basin and perimeter ditches will be maintained by a Management Company on behalf of the residents. The main piped drainage systems are to be adopted by Anglian Water under a S104 Agreement.” While this is not a normal planning matter, however, how the maintenance of everything within the site but outside the house plots will be managed is critical to the future harmony of residents. The Management Company proposed by the developer must not be the responsibility of the residents and it needs to be agreed before construction work begins. How this will be arranged and who pays for the maintenance is not explained but it needs to be agreed before construction begins.

Conclusion

Since the previous comments have largely been ignored by the developer the comments remain basically the same and HTC recommends that this application is refused until its concerns are taken seriously and resolved. This master plan needs a radical rethink so as to:-

- Improve safety along Harrisons Lane by repositioning the access road, creating a roundabout and widening the narrow approach to Fair View Road.
- Build properties to meet the basic needs of the home owners, by building in sufficient storage space within the house.
- Use modern sustainable build methods and materials.
- Reposition the play area in a more central and overlooked position so that activities can be monitored.
- Provide a range of recreational activities for a range of ages and abilities, especially an area for ball games.
- Ensure that existing flooding off the site is not exacerbated by on site surface water dispersal methods.
- Provide a garage or an equivalent secure storage building on all plots.
- Reduce the density of the housing to achieve the 30 dwellings/hectare target on the build area and so enable amenity and play spaces to be created between the houses.
- Provide more parking space since many house will need 2 or more vehicles to live on this development and work in the area.
- Redesign the bin collecting system so that all residents, including the frail, infirm and elderly can have their bins emptied without putting them under physical stress.
- Implement ESC’s Local Plan’s Policies, especially for Amenity, Play and Open Spaces in full so as to provide a desirable quality of life for the residents and a more attractive streetscape and desirable place to live.
- Finalise the management arrangements for site maintenance before construction begins.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	17 January 2023	No response
Summary of comments: Internal consultation; see report.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	17 January 2023	18 January 2023
Summary of comments: The planning obligations previously secured under the earlier planning permission must be binding upon this application.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	17 January 2023	17 January 2023
Summary of comments: No further comments.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	17 January 2023	6 February 2023
Summary of comments: Recommend approval of condition 24 (maintenance and management plan) and refusal of conditions 23 (surface water drainage strategy) and 26 (Construction Surface Water Management Plan) .		

Consultee	Date consulted	Date reply received
SCC Highways Department	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Spatial Planning And Sub Regional Partnerships Manager	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Sport England	17 January 2023	19 January 2023
Summary of comments: The proposed development does not fall within either our statutory remit or non-statutory remit.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	17 January 2023	7 February 2023
Summary of comments: Strongly recommend Secured by Design principals are implemented. Advisory comments to reduce the likelihood of crime occurring.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	17 January 2023	7 February 2023
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	17 January 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Water Management Alliance	17 January 2023	3 February 2023
Summary of comments: No further comments.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 March 2023	Comments awaited

Publicity

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

Category Major Application	Published 30 September 2022	Expiry 21 October 2022	Publication Beccles and Bungay Journal
Category Major Application	Published 30 September 2022	Expiry 21 October 2022	Publication Lowestoft Journal
Category Departure	Published 26 August 2022	Expiry 19 September 2022	Publication Lowestoft Journal
Category Departure	Published 26 August 2022	Expiry 19 September 2022	Publication Beccles and Bungay Journal

Site notices

General Site Notice

Reason for site notice: Major Application Affects Setting of Listed Building In the Vicinity of Public Right of Way

Date posted: 14 October 2022

Expiry date: 4 November 2022

5. Planning policy

National Planning Policy Framework 2021

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP4.1 - Halesworth/Holton Healthy Neighbourhood (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.3 - Self Build and Custom Build (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.32 - Housing Density and Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

HAL.HSG1: Provision of Larger Housing - (Halesworth Neighbourhood Plan, February 2023)

HAL.HSG3: Low energy and energy efficient housing design - (Halesworth Neighbourhood Plan, February 2023)

HAL.ED3: Major development opportunities - (Halesworth Neighbourhood Plan, February 2023)

HAL.DH1: Design - (Halesworth Neighbourhood Plan, February 2023)

HAL.COM1: Play facilities - (Halesworth Neighbourhood Plan, February 2023)

HAL.TM1: Key movement routes - (Halesworth Neighbourhood Plan, February 2023)

HAL.TM2: Cycle parking - (Halesworth Neighbourhood Plan, February 2023)

HAL.TM3: Residential electric car charging - (Halesworth Neighbourhood Plan, February 2023)

6. Planning Considerations

Planning Policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, 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. The relevant policies are set out above.
- 6.2. The Halesworth Neighbourhood Plan was prepared by Halesworth Town Council. The plan was formally 'made' (adopted) at Full Council on 22 February 2023 and therefore it forms part of the development plan.

Principle of Development

- 6.3. The development plan comprises the East Suffolk Council Waveney Local Plan and any adopted Neighbourhood Plans. The relevant policies of the local plan are set out above. It is important to note that the 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.
- 6.4. The local plan was adopted in March 2019 and sets out the level of growth which needs to be planned in the area and identifies where that growth should be located in the period up to 2036 (Policies WLP1.1 and WLP1.2). As part of this spatial strategy the Halesworth and Holton area is expected to deliver approximately 8% of housing growth in the Waveney Local Plan area.

- 6.5. The site forms part of the Halesworth/Holton Healthy Neighbourhood under policy WLP4.1 of the local plan, a comprehensive mixed use development comprising:
- Approximately 215 dwellings;
 - Health Care Facility and Retirement Community;
 - Sports Facilities including, playing pitch, 3G pitch, and indoor sport facilities; and
 - Education/Training Facility.
- 6.6. Outline planning permission for up to 190 dwellings on the site was granted in October 2019. The principle of residential development on the site is therefore accepted and this application comprises a significant proportion of the dwellings allocated by WLP4.1. The allocation and the outline consent forms part of the strategy for growth as set out in Policy WLP1.1 of the local plan which sets out that Halesworth and Holton are allocated higher proportions of growth reflecting Halesworth's status as a market town with good transport links, provision of employment facilities, shops and other services and facilities.
- 6.7. It is also noteworthy that planning applications on adjacent land considered by this Committee for a care home, extra living apartments and grass and 3G pitches have recently been/will shortly be approved. Again, these are significant elements of the Halesworth/Holton Healthy Neighbourhood coming to fruition.
- 6.8. In order to address the infrastructure needs of the town and area resulting from the combined amount of growth planned the following essential and desirable infrastructure was identified in the Local Plan. Updates on their delivery are also stated:
- Secondary Education - Expansion of Bungay High School - £624,070 CIL funding - project completed.
 - Primary Education - Expansion of Edgar Sewter Primary School - £1,364,272 CIL funding - project completed.
 - Pre-School Education - Delivery of a new 30 place Nursery at Holton St Peter Primary School - £ 1,230,000 CIL Funding - Planning Permission granted and due to be completed Autumn 2023.
 - Sports and Leisure - Delivery of improved pitch facilities and a 3G pitch at Halesworth Campus - £1,641,997 CIL funding - Planning permission pending due to be delivered 2023/24.
 - Community Building - Land secured in pending Dairy Farm application. Subject to funding.
 - Youth - Town Council and Community led project underway (Youth Action Halesworth and Rural YAHR) to plan for a replacement of the Apollo youth club facility and other youth needs.
 - Healthcare - Opportunities to expand Cutlers Hill Doctors Surgery have been discussed with the Integrated Care Board (ICB) and CIL funding offered (subject to a bid) however this is dependent on the Practice Partners/building owners bringing forward an expansion project in conjunction with the ICB.
 - Neighbourhood CIL - Halesworth Town Council is already receiving Neighbourhood CIL and based on all planned growth this is likely to total in excess of £600,000 for local infrastructure projects. Approximately half of the Neighbourhood CIL collected from this site will go to Holton Parish Council based on the parish boundary through the site.

- 6.9. Considering the amount of growth planned for the town and the vast majority of it not yet commenced, a remarkable success has been achieved in this area in delivering CIL funded infrastructure in advance of new homes being built and occupied.

Highway Considerations

- 6.10. Vehicular access into the site will be from Harrisons Lane in the location previously approved under the outline planning permission DC/18/4947/OUT. Therefore, the proposed vehicular access is established and not for consideration as part of this reserved matters application. To meet Highway Authority requirements, the outline consent secures the widening of Harrisons Lane to ensure the road is to the appropriate specification to accommodate the increased number of vehicles. Also secured as part of the outline consent is a cycle/footpath along the site frontage which will connect into the access to the adjacent site (former Halesworth Middle School) and the new sports facilities proposed by Halesworth Campus under application DC/21/0007/FUL, as the first phase of their proposals. This will therefore ensure good pedestrian connectivity between these two major sites.
- 6.11. The main access road extends to the southern boundary of the site and should enable access to the adjoining field and the remaining area of residential land allocated under Policy WLP4.1 behind the Suffolk Skills Centre. Within the site a proposed footpath along the southern boundary links into the adjacent Campus site to the west. Further pedestrian links are provided to Public Footpath 16 along the south eastern boundary and to Loam Pit Lane thus ensuring there is good pedestrian connectivity through the site to the surrounding network and onto the large open space now being delivered as part of the Hill Farm Road, Hopkins Homes development.
- 6.12. In their initial response the Highway Authority requested details in respect of electric vehicle charging (these details are also required by Condition 27 of the outline consent), details of improvements on Loam Pit Lane (required by Condition 6 of the outline consent) and details of refuse vehicle manoeuvring.
- 6.13. Additional details have been submitted to show that every dwelling will have either a dedicated electrical supply for EV charging or access to an EV charging point, thereby addressing Condition 27. A swept path analysis demonstrates that a refuse vehicle can manoeuvre safely at all turning head locations.
- 6.14. With regards to the improvements to Loam Pit Lane the Highway Authority require details of the width, materials and nature of the path for the discharge of Condition 6. At the time of writing these details are awaited.
- 6.15. Condition 5 of the outline consent pertains to the highway improvements along Harrisons Lane, including the localised highway widening and proposed cycle route. Design drawings demonstrate the proposed widening of Harrisons Lane and the indicative layout of the 3-metre-wide cycle way along the site's frontage. The Highway Authority have confirmed that the drawings are considered acceptable for the discharge of Condition 5; however, all Section 278 and Section 38 drawings will be subject to detailed design review as part of any future Section 278 and Section 38 agreements.
- 6.16. Condition 7 concerns the estate roads through the site. The Highway Authority have confirmed that the aforementioned swept path analysis is acceptable but have raised

some queries with the design of the internal road network, requiring amended plans. An update will be provided in the Update Report. The Highway Authority have confirmed that the footways and cycle routes are designed in line with guidance and are acceptable.

- 6.17. The parking strategy shows a variety of on-street, frontage, on-plot (or curtilage) parking and also garaging. This is considered to be a good mix that ensures that no one parking type dominates the layout. A total of 402 car parking spaces are proposed throughout the site based on 1 space for 1 bed dwellings, 2 spaces for 2 and 3 bed dwellings and 3 spaces for 4 bed dwellings. The Highway Authority have confirmed this is in accordance with the guidance and is considered acceptable. Similarly, provision for cycle parking is considered acceptable as each property will have either a garage or secure area within the curtilage. Condition 10 can be discharged on this basis.

Housing Mix

- 6.18. Local Plan Policy WLP8.1 states that at least 35% of the dwellings should be 1 or 2 bedroom properties. The submitted dwelling size plan indicates that 76 (42%) of the proposed dwellings are 1 or 2 bedroom properties, thereby exceeding the policy requirement. Smaller properties are an important element of housing delivery, being both more affordable and addressing the need for smaller properties for younger people as first time buyers or renters and for older people to downsize. There are no minimum percentage requirements for 3 and 4 bedroom properties in Policy WLP8.1 but the Halesworth Neighbourhood Plan states that proposals should provide a mix of larger properties (3-bed properties or larger) and, in particular, should provide at least 15% as 4-bed properties. 26% of the proposed properties (47) will have 4 bedrooms. For completeness 31% of the proposed properties (56) will have 3 bedrooms.

Affordable Housing

- 6.19. Local Plan Policy WLP8.2 requires all new housing developments with a capacity of 11 or more dwellings in Halesworth to provide 30% affordable housing. 56 affordable dwellings are proposed which complies with WLP8.2. The S106 agreement attached to the outline consent stipulated that 50% of the affordable units should be for affordable rent and 50% should be for shared ownership. A deed of variation submitted with this application seeks to amend the shared ownership element to 25% shared ownership and 25% first homes. This mix was agreed with the Housing Enabling Manager and is in accordance with current policy and the Governments first homes initiative.
- 6.20. The Affordable Housing mix has also been agreed with the Housing Enabling Manager as follows:
- 16 one bed flats
 - 3 two bed bungalows
 - 26 two bed houses
 - 11 three bed houses

Self-Build and Custom Build

- 6.21. Local Plan Policy WLP8.3 and condition 34 of the outline consent requires a minimum of 5% of the development to be self or custom build properties and to be developed in accordance with a set of design principles submitted with an application. The proposal provides 9 plots for self or custom built properties and so accords with the requirement. Following the submission of a revised Self Build Design Code and Marketing Strategy it is

considered that adequate information has been submitted to enable the discharge of condition 34.

Accessible and Adaptable housing

- 6.22. Local Plan Policy WLP8.31 requires that 40% of dwellings should meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. of the proposed dwelling 83 (44%) will meet this standard, thereby exceeding the policy requirement and is also adequate to enable the discharge of Condition 32 of the outline consent.

Layout, Scale and Appearance of the proposed development

- 6.23. Design quality is given significant weight within the planning process and is one of the main matters for consideration in the determination of this application. Paragraph 126 of the NPPF states that:
"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 6.24. Local Plan Policy WLP8.29 states that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. It sets down criteria for new development proposals including, amongst other things, taking account of landscape features and protecting the amenity of the wider environment, neighbouring uses and providing a good standard of amenity for future occupiers of the proposed development.
- 6.25. The outline planning permission permits up to 190 dwellings on the site and requires the reserved matters submission to be in accordance with the approved Parameter Plan which fixed the location of the access into the site, the surface water attenuation basin in the eastern part of the site, the main area of open space to the south and pedestrian links to existing footpaths and the adjacent Halesworth Campus site. These elements are all reflected in the proposed layout.
- 6.26. Having regard to the proposed layout the Principal Design and Conservation Officer considers that the submitted Masterplan illustrates the use of conventional perimeter blocks as a layout tool and this does provide for pleasantly scaled blocks that complement the vehicle and pedestrian networks, being neither too large nor small. All but one such block has an edge condition - that is, one edge forms a development edge also - and this adds to their interest, facing outwards and addressing the development edges where they meet green space, the existing street and adjacent sites. This is the mark of a good layout. The sole 'internal' perimeter block is varied by the use of an internal court which will be an attractive feature to look into from the street.
- 6.27. The Principal Design and Conservation Officer is of the view that the blocks themselves have an attractive loose shape and informal disposition, such that most streetscenes are non-linear. The modestly curvilinear character of the streets reflects well the edge-of-town location of the development site and imparts a semi-urban character that is judged appropriate. It is one, also, that complements the historic town centre, with its long-gestating organic non-linear pattern of growth. Halesworth does not have a formal, planned character, as such - it is a traditional Suffolk market town. The planned character

of the town arises more from the larger scale of the modern single-use developments beyond the town centre, of which this is an unavoidable example. It is noted that the use of perimeter blocks facilitates the layout in being outward facing along its key edges, which themselves provide active frontages that engage with the areas beyond these edges, be they open space, street, or footpath. This is a welcome outcome of the (Masterplan) layout design.

- 6.28. Proposed building heights consist of predominantly two storey dwellings, with little variation in build heights across the development. Where there are single storey and three-story dwellings/apartments, these are located on the edges of the site rather than fully integrated into layout and used to provide some variety in the streetscene. Nevertheless, the uniformity of the two-storey size of dwelling across the rest of the site, is considered acceptable, in the absence of any height variety. This is because the medium scale of development will mitigate the effect of it and the site's sloping topography, in part, will create some interest by varying the roofscape effect of all houses looking a similar height. Furthermore two storeys do also reflect the size of dwelling that can be found in the surrounding area and the bungalows in the south of the site do mitigate the development's impact on the nearby listed Town Farm.
- 6.29. A variety of materials is proposed to the varied house types to reflect the variety that is evident within the wider urban context of Halesworth. The Neighbourhood Plan provides some very good examples of the range of materials that characterise the town and it is considered that a reasonable and acceptable proportion of these is reflected in the materials choice for the development. Buff coloured brick are proposed to dwellings that line the northern, eastern and southern edges of the layout. Internal streetscenes are more varied with the use of red brick mixed in with the buff brick. Similarly, the buff brick houses to the outer edges of the layout are paired with black/grey pantiles - an attractive combination which also, importantly, acknowledges the strong local traditional of black pantiles (a feature in the northerly part of the District). Render is also introduced with the brick to add variety and relief to some streetscenes. The materials selected are therefore considered to be good and acceptable for the site.
- 6.30. Two main character areas have been designated. one arising from the development edges to the north, east and south, and the other, everything else (called here 'modern edge' and 'transitional centre'). They are used to denote modest differences in elevational treatments to house types (fenestration, materials) that will give rise to some differential characterisation. Such variation in character is welcome; and the application of a rationale to it is also welcome. The result will be that the development presents one kind of character along its main edges, which when crossed, will present another when inside the development. The medium scale of the development justifies the division of the layout into character areas; and the result will ensure that a uniform character across the entire site is avoided which is welcomed.
- 6.31. Overall, Officers consider that the proposed density of the development is acceptable and that the layout and design of the house types responds well to the location and characteristics of the site.

Landscape and Visual Impact

- 6.32. Paragraph 4.9 of the Local Plan states that although the site sits within the gap between Halesworth and Holton and is within tributary valley farmland landscape character area,

the fields comprising the eastern part of the site are well screened with mature vegetation which will limit the impact on the landscape and the potential for coalescence between Halesworth and Holton. Paragraph 4.11 states that the landscape in this location is sensitive to development. There is mature planting around the edges of the site which will need to be retained and enhanced to ensure there is only limited impact on the landscape.

- 6.33. As previously mentioned the attenuation basin is located in the eastern most part of the site and has also designed as a high quality functional open space, with an appropriate planting strategy to integrate it into the open space. A seating and incidental play area are planned in this area, along with walking routes which gives the area functionality for residents to use as open space. It also positively located adjacent the eastern boundary and open field beyond, as it creates additional space between the group of residential properties to the southeast off Bungay Road and will mitigate any visual change. The location of the attenuation basin will therefore help to provide a transition between the proposed houses and the open countryside to the east. The attenuation basin and main area of open are also adjacent to the public footpath that runs along the south eastern boundary of the site ensuring that the trees and hedges running alongside it will be retained. Detailed landscaping plans have been submitted which show that additional trees and plants will be planted within these areas.
- 6.34. For the reasons given, officers consider that the proposed development will not have any significant adverse landscape or visual impacts on the surrounding sensitive landscape of the tributary valley farmland landscape and that the proposal accords with the objectives of Policy WLP8.35 (Landscape Character) and it would accord with the visual effects anticipated and balanced into decision making at outline stage.

Flood Risk

- 6.35. The outline planning permission has conditions pertaining to surface water drainage which this application seeks to discharge. Condition 23 requires the submission of a surface water drainage strategy for the site; condition 24 requires details of the implementation, maintenance and management of the surface water drainage scheme and condition 26 requires a Construction Surface Water Management Plan. It is noted that surface water flooding does occur in the lower lying Bungay Road to the east and that some field drainage off this site contributes to that flooding. The proposed development will capture all run-off from this site, attenuate it and release it in a way which is controlled to avoid off-site flooding.
- 6.36. In considering the submitted details the Lead Local Flood Authority commented that it had worked closely with the consultant to produce an acceptable surface water drainage strategy however the information needed to be supported by detailed hydraulic calculations, and pollution mitigation calculations and until this was received was unable to recommend the discharge of conditions 23 and 26. Condition 24 is non-technical and not reliant on any other conditions and therefore was recommended to be discharged.
- 6.37. The applicant has submitted further details in respect of Conditions 23 and 26 and at the time of drafting the report the Lead Local Flood Authority's response is awaited. Their response will be included in the Update Report.

Ecology

- 6.38. Surveys of the site at the time of the Outline planning application (as presented in the Ecology Assessment, Hopkins Ecology, November 2018) recorded it as being of relatively low ecological value, albeit with a small number of protected species and UK Priority habitats and species recorded. These included hedgerows (a UK Priority habitat), an assemblage of foraging/commuting bats (with the site considered to be of "Local" value for individual bat species) and a small assemblage of breeding and wintering birds. Although nearly four years have passed the Council's Ecologist understands that the site has remained in a similar condition since 2018 (based on the information provided to support the Biodiversity Net Gain assessment (James Blake Associates, August 2022).
- 6.39. The habitats of greatest biodiversity value are considered to be the trees and hedgerows on and around the site, and the pond on the south-eastern boundary. On the eastern side of the site the majority of these are retained and incorporated into the open space and landscaping proposals. On the western boundary a hedgerow that was due to be removed is now proposed for retention and reinforcement planting in an amended plan which is welcomed. A hedgerow on the south western boundary is proposed to be removed (albeit with new planting proposed along part of its length) to accommodate the provision of a footpath connection. This footpath connection forms an important link to the neighbouring sports facilities site and therefore needs to be included as part of this development. Therefore, whilst the loss is regrettable, the justification is understood.
- 6.40. The Council's Ecologist has advised that sufficient information has been submitted to enable the discharge of conditions 28, 29 and 30 of the outline consent which require details of the design of green infrastructure within the site, a construction environmental management plan (CEMP) and a landscape and ecological management plan (LEMP) respectively. In addition an Ecological Enhancement Strategy has been submitted which includes the provision of bird boxes, swift bricks, bat boxes and hedgehog links in the proposed fencing.

Habitats Regulations Assessment (HRA)

- 6.41. The Outline planning application was subject to a Habitats Regulations Assessment (HRA) (Footprint Ecology for Waveney District Council, March 2019) prior to its determination, with the necessary mitigation measures (including a financial contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)) secured as part of the Outline planning permission. A separate HRA (East Suffolk Council, September 2022) has been prepared as part of the consideration of the current Reserved Matters planning application and this concludes that subject to the implementation of the previously identified mitigation measures it can be concluded that the development will not result in adverse effects on the integrity of any European designated sites.

Heritage Considerations

- 6.42. There are no designated heritage assets that are buildings or structures within the application site. The site does not fall within the Halesworth or Holton Conservation Areas nor their setting. There is only one designated heritage asset that is a building that will be affected by this proposal for development within its setting, and that is the Grade II listed Town Farmhouse on Loampit Lane. There are no Non-Designated Heritage Assets that will be affected by the application proposal.

- 6.43. The Built Heritage Statement of 2018 for the outline consent has been resubmitted for this application and is considered by the Principal Design and Conservation Officer to be adequate for the purposes of Paragraph 194 of the NPPF.
- 6.44. The Heritage Statement highlights that the use of the site as an isolation hospital ceased by the 20th century, likely when the nearby Patrick Stead Hospital was constructed in the late 19th century. Nonetheless, the site retains considerable local historical interest for its long history in use as a pest house, one of the key criteria for which, of course, was its isolation from the main settlement.
- 6.45. The Principal Design and Conservation Officer considers that the loss of open agricultural land that currently forms a considerable part of the setting to Town Farmhouse and the erosion of part of its open setting will reduce the ability to appreciate and understand the origins and later use of the historic site as a farmhouse. He agrees with the Heritage Statement, however, that the geographical isolation of the site when in use as a pest house (for a considerable period) is related to the land between it and the town to the south and south-west, and that this does not include the application site. The proposed development would not, therefore, impinge upon an appreciation of the farmhouse when in use as a pest house.
- 6.46. It is judged that the loss of open agricultural land and erosion of open setting in part, will adversely impact the special interest of Town farmhouse, with the effect that its significance will be harmed. This harm will be indirect (from its setting, only) and is of a low level, as it is acknowledged that the layout design mitigates some of the impact of built form in the vicinity of the farmhouse (offset green space and single storey houses), and that the wider surroundings to the farmhouse have been, and are already being, altered in a similar way as here proposed. The Council has already considered and accepted the principle of residential development on the site within the setting of the listed building through the allocation in the Local Plan and the granting of outline consent. In considering the proposed layout officers consider that the harm to the significance of Town Farmhouse is limited to a low level of less than substantial harm. The relevant test of the NPPF at paragraph 202 is therefore engaged and the low level of harm that has been identified will have to be given great weight in the balance by the decision taker and weighed against the public benefits of the proposal.
- 6.47. The proposal forms part of a much wider allocation of the local plan and in addition to the delivery of 188 houses, including 56 affordable homes, will help enable the delivery of enhanced sports facilities to the local community. It is considered that these significant public benefits will outweigh the less than substantial harm to the setting of Town Farm that has been identified.

Contaminated Land

- 6.48. Condition 16 of the outline consent requires a site investigation for the presence of contamination and Condition 17 requires a detailed remediation method statement. Previous investigations have highlighted the presence of ground gas, however the investigation submitted with this application found no ground gas. The Council's Environmental Protection Officer is reviewing the conclusions of this report and the response will be included in the Update Report.

- 6.49. The Environmental Protection Officer has advised that the submitted Construction Management Plan is sufficient to enable the discharge of Condition 15 of the outline consent.

Sustainable Construction

- 6.50. A Sustainability Statement accompanies the application as required by Condition 33 of the outline consent. It sets down a strategy for reducing energy use and confirms that design stage SAP calculations will be conducted for each dwelling type by an accredited Assessor. The scheme will be designed with the aim to enhance the u-value throughout the scheme and exceed Part L of the Building Regulations April 2013. It further confirms that the development will incorporate a range of water efficiency measures to reduce the internal potable water consumption to less than 110 litres/person/day, equivalent to the water consumption level of Code for Sustainable Homes Level 4 rated dwellings.

Archaeology

- 6.51. Suffolk County Council Archaeological Service have confirmed that archaeological evaluation has been undertaken on this site which was negative for archaeology and that conditions 21 and 22 of the outline consent can be discharged.

Public Benefits of the Proposed Development

- 6.52. The proposed development will deliver significant public benefits including:
- 179 built dwellings in a sustainable location as part of the plan-led approach to growth in the District;
 - 9 plots to be made available for 'self-build' homes;
 - 56 of the homes will be affordable homes;
 - 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;
 - Substantial areas of open space and equipped play space for new and existing residents;
 - Connections to the existing public footpath alongside the site;
 - Improvements to Harrisons Lane, including new cycle/footpath along the site frontage
 - Pedestrian links to the adjacent Campus site and proposed sports facilities.
 - The outline consent of this site also provided for the transfer of land to Halesworth Campus for its new 3G Pitch.

7. Conclusion

- 7.1. In considering this application, attention has been paid to ensure the proposed layout responds to the characteristics of the site to ensure that it assimilates itself into the site well. Officers are of the view that the proposal accords with the housing element of allocation in the local plan under Policy WLP4.1 and will provide a high-quality residential development including, amongst other things, affordable housing, open space, good pedestrian connectivity to adjacent sites and an overall density that is appropriate for the site.

- 7.2. It is acknowledged that the proposal will transform the existing appearance of the site and that it is not supported by some local residents and the Town Council. However, the site is allocated under Policy WLP4.1 of the Local Plan for residential development as part of the Halesworth/Holton Healthy Neighbourhood and outline planning permission for up to 190 houses has been approved.
- 7.3. As set out above officers have given detailed consideration to the proposal and consider that it will deliver a high quality residential development in accordance with WLP4.1 and the design objectives of the Local Plan and the NPPF. It also accords with the outline masterplan and design principles previously established.
- 7.4. The proposal would give rise to a low level of less than substantial harm to the significance of the grade II listed Town Farmhouse. Great weight has been given to that harm but when weighed against the public benefits of the proposal officers are of the view that those benefits outweigh any harm that would arise.
- 7.5. As will be noted in paragraphs 6.14, 6.16, 6.37 and 6.48 above there are outstanding matters relating to highways, surface water drainage and contaminated land. Subject to these matters being satisfactorily addressed the application is recommended for approval. A consultation response from Holton Parish Council is also pending given half of the site is within Holton parish.

8. Recommendation

- 8.1. Authorisation to approve subject to the outstanding matters referred to in paragraph 7.5 above being resolved and subject to the following conditions.

Conditions:

1. The development hereby approved shall be begun within the time limits specified on the outline permission 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)

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

CONDITION 2:

237-20-0200 P8 Master Plan, 237-20-0301 P23 Accommodation Plan, 237-20-0351 P2 Open Space Plan, Soft Landscape Proposals - 21-234-SK01 Masterplan Rev C, Arboricultural Impact Assessment Issue A, 21-234-01 Rev C, 21-234-02 Rev C, 21-234-03 Rev C, 21-234-04 Rev C, 21-234-05 Rev C, 21-234-06 Rev B, 21-234-07 Rev B, 21-234-08 Rev B, 21-234-09 Rev B, 21-234-10 Rev B, 21-234-11 Rev B, 21-234-12 Rev B and HAR-SCH01 Rev A External finishes schedule
received 16 January 2023.

Design and Access Statement, 237-20-0150 P1 Site Location Plan, 237-20-0210 P7 Character Plan, 237-20-0353 P1 Vehicular Network Plan, 237-20-0354 P2 Pedestrian Network Plan, 237-20-0355 P2 Storey Heights Plan, 237-20-0356 P2 Dwelling Size Plan, 237-20-0357 P2 Phasing Plan, 237-20-0358 P2 Refuse and Bin Storage Plan, 237-20-0359 P2 Parking and Cycle Storage Strategy Plan, 237-20-0600 P5 Materials Plan, 237-20-6300 P3, 237-20-6301 P2, 237-20-6303 P3, 237-20-6304 P1, 237-20-6305 P1 - Starston Semi Detached House; 237-20-6302 P2 - Starston Terraced House, 237-20-6310 P2, 237-20-6311 P2 - Benacre Semi Detached Bungalow, 237-20-6320 P2, 237-20-6321 P2 - Hales Semi Detached House, 237-20-6330 P3, 237-20-6331 P3, 237-20-6332 P3 - Wangford Detached Bungalow, 237-20-6340 P2 - Haddiscoe Semi Detached House, 237-20-6350 P2 - Hulver Detached House, 237-20-6351 P2, 237-20-6352 P2 - Hulver Semi Detached House, 237-20-6360 P2, 237-20-6361P3 - Thurlton Detached House, 237-20-6370 P2, 237-20-6371 P2 Mettingham Detached House, 237-20-6380 P2, 237-20-6381 P3 - Ellingham Detached House, 237-20-6390 P3, 237-20-6391 P3, 237-20-6392 P1 - Redgrave Detached House, 237-20-6400 P2, 237-20-6401 P3 - Yoxford Detached House, 237-20-6410 P3, 237-20-6411 P2 - Glemham Detached House, 237-20-6421 P3 - Thorpe Detached House, 237-20-6431 P2 - Wrentham Detached House, 237-20-6441 P3 - Blythburgh Detached House, 237-20-6460 P3 - Affordable 2BH Terraced Bungalow, 237-20-6470 P3 - Affordable 2BH Terraced House, 237-20-6480 P3 - SO 2BH Semi Detached House, 237-20-6482 P3 - SO 2BH Terraced House, 237-20-6483 P3 - SO 2BH Terrace of 4, 237-20-6490 P3, 237-20-6491 P4 - 3B SO Semi Detached House, 237-20-6492 P3 - 3B SO Terraced House and 237-20-6500 P4 - 2B and 3B SO Terraced House received 8 August 2022.
237-20-6700 P14 Flat Block 20-27 and 237-20-6705 P2 Flat Block 28-35 received 16 March 2023.

CONDITIONS 5, 6, 7 23 and 24:

201485_C-100_P02 General arrangement and external works sheet 1,
201485_C-101_P02 General arrangement and external works sheet 2,
201485_C-102_P02 General arrangement and external works sheet 3,
201485_C-103_P03 General arrangement and external works sheet 4,
201485_C-104_P02 General arrangement and external works sheet 5,
201485_C-105_P02 General arrangement and external works sheet 6,
201485_C-106_P03 General arrangement and external works sheet 7,
201485_C-107_P02 General arrangement and external works sheet 8,
201485_C-108_P03 General arrangement and external works sheet 9,
201485_C-120_P03 General arrangement & external works s38 agreement plan sheet 1,
201485_C-121_P03 General arrangement & external works s38 agreement plan sheet 2,
201485_C-125_P02 General arrangement & external works S278 agreement plan,
201485_C-126_P02 General arrangement & external works S278 land dedication plan,
201485_C-130_P02 General arrangement & external works S104 agreement plan sheet 1,
201485_C-131_P03 General arrangement & external works S104 agreement plan sheet 2,
201485_C-132_P03 General arrangement & external works S104 agreement key plan,
201485_C-135_P03 General arrangement & external works impermeable area plan,
201485_C-140_P01 Off-site works to Loam Pit Lane,
201485_C-200_P01 Road and sewer setting out sheet 1,
201485_C-201_P01 Road and sewer setting out sheet 2,
201485_C-202_P01 Road and sewer setting out sheet 3,
201485_C-203_P01 Road and sewer setting out sheet 4,
201485_C-204_P01 Road and sewer setting out sheet 5,

201485_C-205_P01 Road and sewer setting out sheet 6,
 201485_C-206_P01 Adoptable manhole schedules sheet 1,
 201485_C-207_P01 Adoptable manhole schedules sheet 2,
 201485_C-208_P01 Adoptable manhole schedules sheet 3,
 201485_C-209_P01 Adoptable manhole schedules sheet 4,
 201485_C-210_P01 Road and sewer long sections sheet 1,
 201485_C-211_P01 Road and sewer long sections sheet 2,
 201485_C-212_P01 Road and sewer long sections sheet 3,
 201485_C-213_P01 Road and sewer long sections sheet 4,
 201485_C-214_P01 Road and sewer long sections sheet 5,
 201485_C-215_P01 Road and sewer long sections sheet 6,
 201485_C-216_P01 Road and sewer long sections sheet 7,
 201485_C-217_P01 Road and sewer long sections sheet 8,
 201485_C-300_P01 Anglian Water Construction details sheet 1,
 201485_C-301_P01 Anglian Water Construction details sheet 2,
 201485_C-302_P01 Anglian Water Construction details sheet 3,
 201485_C-400_P01 Suffolk Highway Construction Details S38 Works sheet 1,
 201485_C-401_P01 Suffolk Highway Construction Details S38 Works sheet 2,
 201485_C-402_P01 Suffolk Highway Construction Details S38 Works sheet 3,
 201485_C-502_P02 Private construction details sheet 3,
 201485_C-503_P01 Private construction details sheet 4,
 201485_C-605_P01 Autotrack Swept Path,
 Preliminary SuDS Management and Maintenance Plan
 received 8 August 2022 and 16 January 2023.

CONDITION 10:
 237-20-0359 Rev P2 received 8 August 2022.

CONDITION 15:
 HAR-DOC-01 Rev B Harrisons Lane Construction Management Plan, received 16 January 2023.

CONDITION 16 and 17:
 Create Consulting Engineers Phase 1 Contaminated Land Assessment Volume 1 of 2 and
 Volume 2 of 2;
 Ground Investigation (ASL Report No. 450-18-087-10 August 2019)
 Supplementary Ground Investigation (ASL Report No. 450-18-087-06 January 2020)
 Geo-Environmental and Geotechnical Site Investigation Report (Brown2Green Ref. 2954/Rpt
 1v1 January 2022)
 received 8 August 2022

CONDITIONS 21 and 22
 Written Scheme of Investigation for an archaeological trial trench evaluation (MOLA 2019),
 received 8 August 2022 and Archaeological trial trench evaluation (MOLA Report 19/99,
 HWT 053), received 18 January 2023.

CONDITION 23:
 Awaiting confirmation from LLFA

CONDITION 24:

SuDs Management and Maintenance Plan Rev 01 December 2022 received 16 January 2023.

CONDITION 26:

Awaiting confirmation from LLFA

CONDITION 27:

237-20-0313 P2 Sustainable Technology Plan received 16 January 2023.

CONDITION 28:

Homeowners Walking Routes Leaflet received 21 March 2023.

CONDITION 29:

Construction Environmental Management Plan (CEMP) for Biodiversity (JBA, July 2022) received 16 January 2023.

CONDITION 30:

Landscape and Ecological Management and Maintenance Plan (JBA 21/234-LEMP1 Rev A, December 2022) received 21 March 2023.

CONDITION 31:

Drawing Number NS/HARR/302504 received 8 September 2022.

CONDITION 32:

Design and Access Statement Appendix C received 8 August 2022.

CONDITION 33:

Sustainability Statement (Eden SAP Services 23 April 2022) received 8 August 2022.

CONDITION 34

Self-Build Design Code and Marketing Strategy Rev P3 received 14 March 2023.

3. Ecological enhancement measures will be delivered and retained in accordance with the Ecological Enhancement Strategy (JBA 21/234 November 2022) received 21 March 2023.

Reason: To ensure the development delivers ecological enhancements.

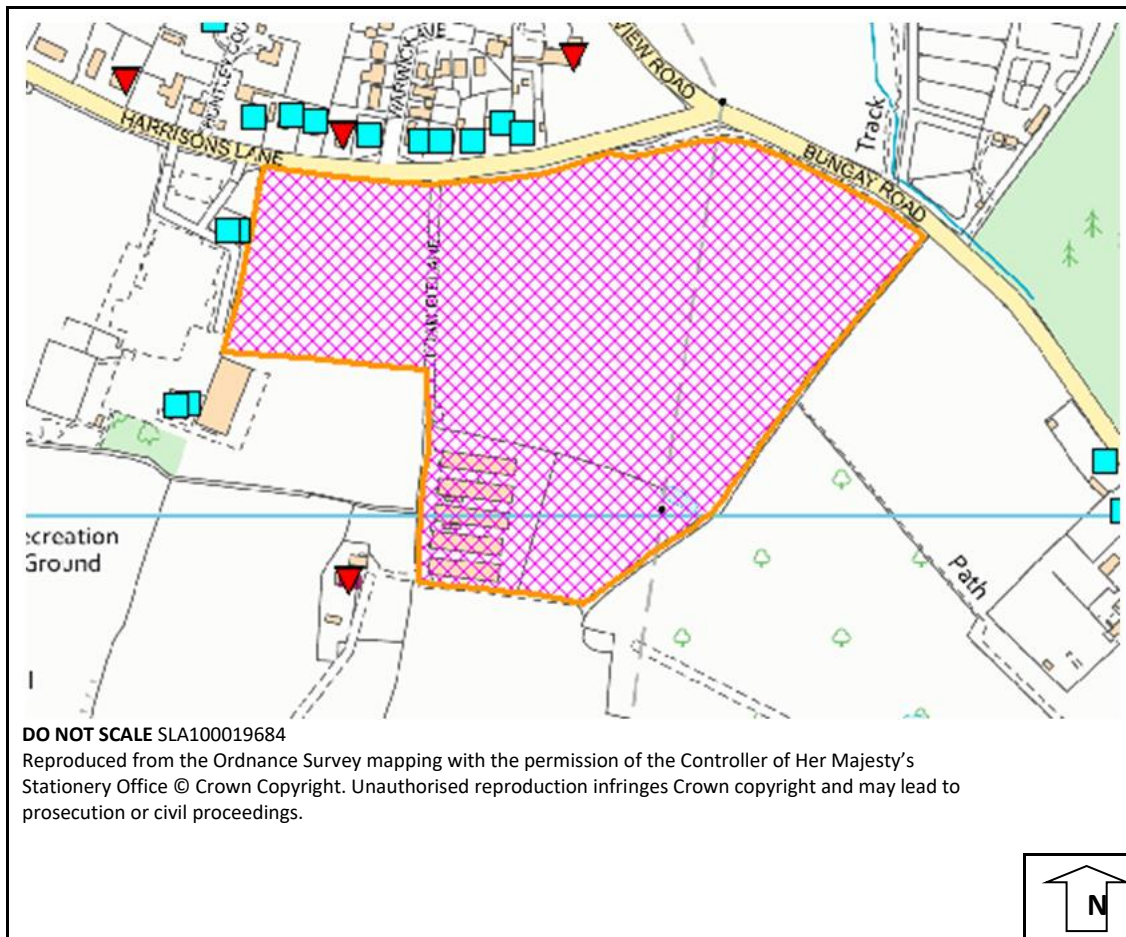
Informatives:

There are no informatives.





Background information

See application reference DC/22/3156/ARM on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 11 April 2023

Application no DC/22/4341/FUL

Location

25 Cotmer Road
Lowestoft
Suffolk
NR33 9PN

Expiry date 17 January 2023

Application type Full Application

Applicant Mr Julian Mutimer

Parish Oulton Broad

Proposal Sub division of gardens to create 2 plots and construction of 2 detached bungalows and garages.

Case Officer Matthew Gee
07901 517856
matthew.gee@eastssuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the Sub-division of gardens to create two plots and the construction of two detached bungalows and garages. The area is characterised by a mixed pattern of development, and as such the form of the layout is not likely to impact on its character and appearance. Furthermore, the proposed development is not considered to have any adverse impact on the amenity of neighbours. The proposal provides adequate amenity space for current and future residents and would have no adverse impact on highway safety.
- 1.2. The proposal is therefore considered to comply with local and national planning policy, and as such it is recommended that planning permission be granted subject to conditions.
- 1.3. The application has been referred to the Planning Committee (North) by the Chairman.

2. Site Description

- 2.1. The site is located within the Settlement Boundary for Lowestoft, and outside of any designated/protected areas. The site comprises the garden areas of two dwellings that front onto Cotmer Road. The site is bounded by residential development to the north, east and south, and an unmade access track to the west.
- 2.2. The area is characterised by predominantly detached dwellings that are a mix of single-storey, one-and-a-half storey and two storey in scale. Along this section of Cotmer Road, there are a number of dwellings to the rear, in areas which were previously (part of) rear gardens of the dwellings fronting Cotmer Road. Some of these properties are accessed via driveways from Cotmer Road, and others are accessed from the roads/track to the rear.

3. Proposal

- 3.1. The proposed dwellings will have a footprint of approximately 150sqm each and comprise 4 bedrooms each. The existing access would be utilised and widened, running past the existing dwelling to the two new dwellings at the rear. Parking for the existing dwelling would be provided to the frontage area. The proposed dwellings are simple in form, low in height with hipped roofs.

4. Consultations

Third Party Representations

- 4.1. Two Representations have support have been received, raising the following points:
 - Good design and layout
 - No impact on amenity
 - Good use of land
- 4.2. One Representation that neither supports nor objects has been received, raising the following point:
 - No right of access across rear track
- 4.3. Six Representations of objection have been received, raising the following points:
 - Impact on amenity, including loss of light
 - Overdevelopment
 - Impact on environment and wildlife
 - Potential access to rear lane
 - Previous refusal
 - Impact on highway safety
 - Emergency service access
 - Drainage concerns

Parish Council and Ward Member

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	1 December 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	12 December 2022
<p>Summary of comments:</p> <p>With reference to our telephone conversation this afternoon relating to the issues and concerns of the above Application.</p> <p>I thank you for your time and would register concerns and issues with this Application as Ward Councillors as follows:-</p> <ol style="list-style-type: none">1. Access in and out of site from the proposed development onto Cotmer Road, is a major material consideration for Highways as the access is as I understand not within the County Parameter's and legislative requirements and would be serious problem for Emergency Services attempting to access and digress the site. ie Fire Service, Ambulances. Or any Emergency vehicles.2. We would also consider this to be over development of the site.3. Loss of light for properties in Fairfield Drive.4. Landscape impact to properties in Fairfield Drive.5. Quality of Life issues for people living in Fairfield Drive, some who are Disabled and on Dialysis.6. Possible flooding problems7. Possible Drainage problems.8. Overlooking / Loss of Privacy9. The owners of properties in Fairfield Drive have major material issues relating to the development which they have already submitted to planning department at ESC. <p>With the above considerations we as District Ward Councillors are requesting this Application goes before Referral Committee of ESC, at a future date to be set, and that as Ward Councillor's we Object to this Application being considered by Delegated powers and would request this goes to Committee and a Site visit takes place, so a constructive view is established for consideration.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	1 December 2022	19 December 2022
Summary of comments: Concerns raised due to lack of a visibility and improvement information submitted.		

Consultee	Date consulted	Date reply received
SCC Highways Department	14 February 2023	3 March 2023
Summary of comments: Following the submission of further information, no objections raised subject to conditions.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	1 December 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	1 December 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 December 2022	8 December 2022
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	1 December 2022	No response
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	1 December 2022	19 December 2022
Summary of comments: Concerns raised due to lack of information on neighbouring trees		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	14 February 2023	27 February 2023
Summary of comments: Following the submission of further information, no objections		

5. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 5 December 2022

Expiry date: 28 December 2022

6. Planning policy

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 – Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2021

7. Planning Considerations

Principle

- 7.1 The site is located within the settlement boundary, and as such the principle of development is considered broadly acceptable. The proposed development is to be assessed against, principally, the policies that guide residential infill/backland development, along with all other relevant planning policies set out in the Local Plan and the NPPF.

Design and Layout

- 7.2 Policy WLP8.33 states that housing development on garden and other urban infill sites will be supported where they satisfy the following criteria: *"The scale, design and siting of the proposal is in keeping with the character and density of the surrounding development and would not generate a cramped form of development."* Additionally, the policy states that *"The proposal, by way of design, siting and materials integrates into the surrounding built, natural, and where necessary historic environment"*.
- 7.3 The proposal is to erect 2no. single storey dwellings in the rear garden of nos. 25 and 27 Cotmer Road. There are a number of examples of dwellings to the rear of highway fronting dwellings in the immediate locale. As such, it is considered that the principle of this form of development is acceptable, subject to the building being an appropriate design, scale, layout etc. Whilst it is acknowledged that backland development can sometimes be perceived as poor design, it can represent an opportunity to make more efficient use of land, and it is particularly relevant to appraise the wider site context when assessing such a proposal.

Given the character of the area with backland development already having taken place, the proposal would not be an alien form of development.

- 7.4 The proposed dwellings, once complete, will reduce the distances between properties in this location, thereby creating a denser form of development. However, the general density of development will be similar to that of surrounding sites. The existing dwellings that bound the site are mainly single storey dwellings, with only a couple of immediate examples of two storey dwellings. It is therefore considered that the introduction of 2no. single storey dwellings in the area would be acceptable in this context.
- 7.5 The overall final design of the dwellings is simple, and of a scale which is similar to other similar forms of development in the immediate locale. It is also considered that the density of the development is similar to that of surrounding plots, given the adjacent 'backland' development. As such it is not considered that the proposal would represent overdevelopment of the site, and the proposed dwellings are of an appropriate scale to the surrounding area.
- 7.6 Given the above points it is considered that the proposed development takes account of the pattern and grain of development in the area and, whilst not a high-quality development layout, it would not adversely impact on the character and appearance of the area. The proposal would also be of a form similar to the surrounding context.
- 7.7 The proximity of the access drive to the existing dwelling is not ideal. However, it is a normal part of backland proposals of this nature that an access drive will need to run between existing properties. The access drive and associated parking/turning areas are functional and will not result in harm to the character and appearance of the area.

Residential Amenity

- 7.8 Policy WLP8.33 states that housing development on garden and other urban infill sites will be supported where they satisfy the following criteria: "The living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development".
- 7.9 The proposal seeks to introduce 2no. single storey dwellings to the rear of Cotmer Road. All windows will be at ground floor level, with a condition recommended to remove permitted development rights for first floor alterations, therefore it is not considered that the proposal would result in any adverse loss of privacy or overlooking to neighbours. The overall height of the dwellings would be 5.75m, and there is a separation distance of approximately 17m to the dwelling to the South on Conrad Road, 33m to the nearest dwellings to the east on Cotmer Road, and 25m to the nearest dwelling to the west. Due to this low scale of development and separation from neighbouring dwellings, the proposal would not likely have any adverse impact on amenity of these dwellings.
- 7.10 The dwelling to the north (no.25 Fairfield) is located adjacent to the boundary with the application site and has two openings facing the application site. The proposed dwelling will sit further back into the site in comparison to no.25, and as such the impact on light through these windows is minimised, furthermore, a degree of loss of light would already occur to these windows due to the close proximity of the fence. As such it is not considered that

there would be a significant impact on light to the side windows of no. 25. It is also not deemed to result in any significant impact on light through the rear windows of no.25.

- 7.11 The proposal also seeks to introduce a single lane access track between nos. 25 and 27 Cotmer Road, which would service both proposed dwellings. Under the Suffolk Parking Standard Guidelines, a dwelling with 4 bedrooms requires 3 on-site parking spaces. The track would be located within close proximity of both no.11 and 13, neither of which have openings on the elevations facing the access track. Therefore, given the above points it is considered that there is potential to result in an impact on the amenity of both existing and future residents of these properties, however, that impact is not considered significant enough to harm the enjoyment of the dwellings. The vehicular movements from two dwellings is likely to be limited and not of significance to harm amenity through noise and disturbance.
- 7.12 As such on balance, it is not considered that the proposal would result in a significant amenity impact to warrant refusal of this application.
- 7.13 Objections have been received raising concerns regarding the potential impact that the trees to be planted along the rear of the site may have on amenity. These trees do not require consent on their own, and could be planted within the existing residential curtilage, and as such it is not considered that the harm would be significant enough to warrant refusal, they will also provide added environmental benefits to the scheme.

Highways

- 7.14 SCC as Local Highway Authority have reviewed the application and raise no objections following the submission of further information confirming the visibility splays. As such it is considered that the proposal will have no adverse impact on highway safety. The proposal accords with policy WLP8.21.
- 7.15 The site also provides sufficient parking for at least three vehicles per dwelling, and as such there is not considered to be any increased pressure on parking on-street.

Other Matters

- 7.16 The applicant has submitted a Land Contamination Questionnaire together with an Internet environmental search, neither of which provide any reasons to suspect that contamination is present or needs to be considered any further. As such, on the basis of the information submitted, it would appear that the site is suitable for the proposed use. However, as the proposal is to introduce two new residential dwellings, the Environmental Health Team have advised the Local Planning Authority to apply a standard planning condition requiring the reporting of any potential contamination encountered during construction.
- 7.17 The site is located within Flood Zone 1, and as such there is a low probability of flooding on the site and surrounding area. In addition, the Environment Agency's map does identify that Cotmer Road is at medium risk of localised surface water flooding. However, it is not considered that this poses an unnecessary risk to the application site.
- 7.18 The site is located within 13KM of the nearest European protected site, and therefore the potential impact from further residential development needs to be considered. It is

considered that in this instance a contribution to RAMS is acceptable mitigation. This payment has been agreed and paid. The proposal accords with WLP8.34 in this regard.

7.19 There is also not considered to be any adverse impact on protected species as a result of the development, as the nearby horse chestnut, which has the potential for bats and/or nesting birds, will not be affected by this proposal and is not protected.

7.20 The site contains no protected trees, and it is not considered that the trees on the site are worthy of being protected through Tree Preservation Order.

8. Conclusion

8.1 In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

9. Recommendation

9.1 Approve with conditions set out in section 10, below.

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 Site Location and Proposed Plans (1742/5 Rev A) received 13/02/2023, 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 first use on site, details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with Suffolk County Council's Standard Access Drawing no. DM03; and with a minimum entrance width of 3.8 metres for a distance of 10 metres measured from the nearside edge of the carriageway and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time 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.

5. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

6. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

7. Prior to the development hereby permitted being first occupied, the existing new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

8. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1742/5 Rev A with an X dimension of 2.4 metres and a Y dimension of 43 metres tangential to the nearside edge of the carriageway 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.

9. The use shall not commence until the area(s) within the site shown on drawing no. 1742/5 Rev A 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 manoeuvring would be detrimental to the safe use of the highway.

10. 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. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the provision of electric vehicle infrastructure if a suitable scheme cannot be retrospectively designed and built.

11. Before the development is commenced 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). This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

12. 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. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

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

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which

adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

14. 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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building, structure, and/or works permitted by Classes B (additions to the roof) or C (other alterations to the roof) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

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

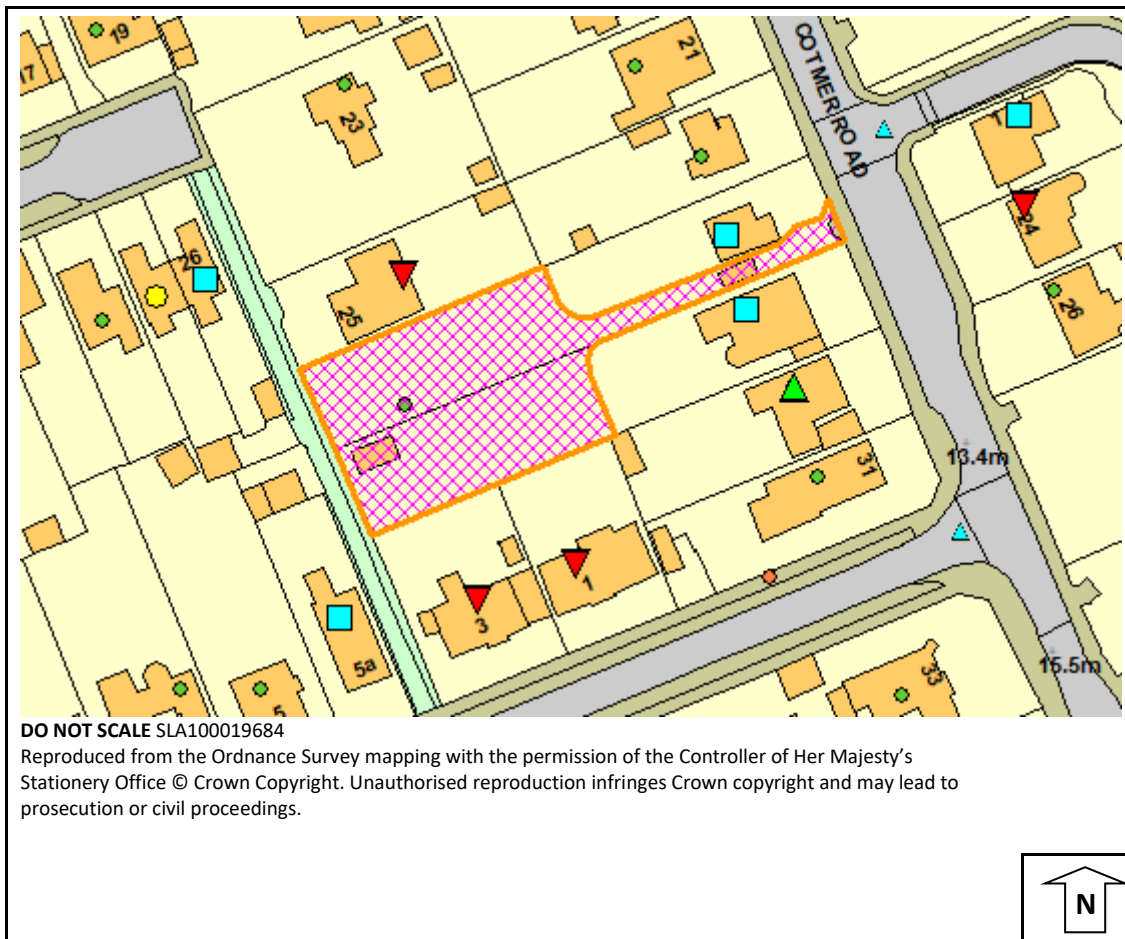
16. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved shall be submitted to and approved in writing by the Local Planning Authority.

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





Background Papers

See application reference DC/22/4341/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 11 April 2023

Application no DC/23/0283/FUL

Location

6 Healey Close
Lowestoft
Suffolk
NR32 4WZ

Expiry date 23 March 2023

Application type Full Application

Applicant Mr & Mrs Springford

Parish Lowestoft

Proposal Two storey extension and internal works to suit.

Case Officer Daniel Bailes
daniel.bailes@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for a two-storey front and side extension. Officers consider that the proposal would not have an adverse impact on the character of the surrounding area or neighbour amenity. The proposal accords with the relevant policies of the Local Plan and the application is recommended for approval.
- 1.2. The application is being presented to Planning Committee at the request of the Referral Panel.

2. Site Description

- 2.1. The site is a two-storey detached dwelling located at the end of the cul-de-sac. There are residential properties to all sides of the site. On site there is a detached garage and off-road parking.

3. Proposal

- 3.1. The proposal is a two-storey front and side extension. The front extension would project from the south-east elevation of the original dwelling with a depth of 0.5m. This would also extend beyond the side of the dwelling and has an overall width of 4m. The side extension would extend 1m from the north-east elevation of the dwelling. The combined depth of the side and rear extension at its furthest point would be 7.9m. The extension would have a dual pitched roof with an overall height of 7.95m.

4. Consultees

- 4.1. One letter of support has been received, citing that the proposal will allow for the applicant's family to move into the home, and that there is ample parking on site.
- 4.2. The Ward Member, Cllr Linda Coulam, has commented on the application raising concerns that the proposal is overdevelopment, and requesting that the application be considered by the Referral Panel to consider the determination route.

Consultee	Date consulted	Date reply received
Lowestoft Town Council	1 February 2023	No response
Summary of comments: No comments received.		

5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 6 February 2023

Expiry date: 27 February 2023

6. Planning policy

- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- National Planning Policy Framework 2021

7. Planning Considerations

Design & Visual Amenity

- 7.1. The extension would be constructed of brick, pantiles to the roof, and uPVC windows and doors. As the materials would match the existing dwelling, the design is considered to be respectful to the host dwelling and street scene. The extension would be proportionate in scale as it would not extend beyond the principal gable and the eaves height does not exceed that of the dwelling. Whilst a two storey extension of considerable size, the

extension will still appear recessive and appropriately sized in relation to the existing dwelling. The proposal is not considered to be overdevelopment, as the property would retain its good-sized rear garden. The extension is not deemed to be harmful to the character of the surrounding area as it would not be widely visible from the street scene. It is therefore considered that the design and scale of development is respectful to the character of the dwelling and street scene.

Neighbour Amenity

- 7.2. The front and side extension at its tallest points would have an overall height of 7.95m which reduces to 5.25m where it meets the eaves. When looking at the positioning of the extension, the north-east elevation would be situated 1m from the boundary at its shortest point and beyond this is a neighbouring dwelling. There are no ground floor windows on the neighbouring dwelling so any potential impact would be to the first-floor windows. There is only one neighbouring first floor window that would look directly towards the extension. This appears to be a secondary window serving a bedroom and would have a separation distance of 7m from the north-east elevation of the extension. As light would continue to be received through a window at the front of the dwelling, any impact on light to this room is unlikely to be significant.
- 7.3. There is a first-floor window on the neighbouring dwelling which does not look towards the extension but does appear to be the only window serving a different bedroom. This is situated 6m from the north-east elevation of the extension. The BRE 45 degree test has been undertaken to determine whether the impact on light as a result of the development is likely to be acceptable. The proposal fails on the horizontal plane but passes on the vertical plane. This indicates that there would not be significant impact on daylight/sunlight, as light would continue to be received over the roof of the extension. For the reasons given, it is not considered that the proposal would have a significant impact on light.
- 7.4. The only windows proposed on the extension would be on both floors of the south-east front elevation. As the windows would prominently look towards the existing detached double garage opposed to any private amenity space and that there is a separation distance of 18m to the nearest neighbouring window in view, it is considered that the proposal is unlikely to result in any loss of privacy.
- 7.5. In response to local consultation, no neighbour objections have been received.
- 7.6. The proposal seeks to extend two existing bedrooms on the first floor and as such no additional bedrooms are proposed. There is a minimum requirement for three parking spaces to be provided for a four-bedroom dwelling as set out in Suffolk County's Council's Parking Standards. As the existing driveway in front of the double garage would be retained and can accommodate five vehicles, in addition to the two spaces in the double garage, the proposal would not result in any loss of parking.

8. Conclusion

- 8.1. All design and amenity matters have been considered and the proposal is deemed to accord with policy WLP8.29. There are no material considerations indicating for a decision other than approval.

9. Recommendation

9.1. It is recommended that planning permission be granted subject to conditions.

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 Site Location, Proposed Block Plan, Proposed Elevations and Floor Plans, 3028.22.2; received 26/01/2023;, 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.

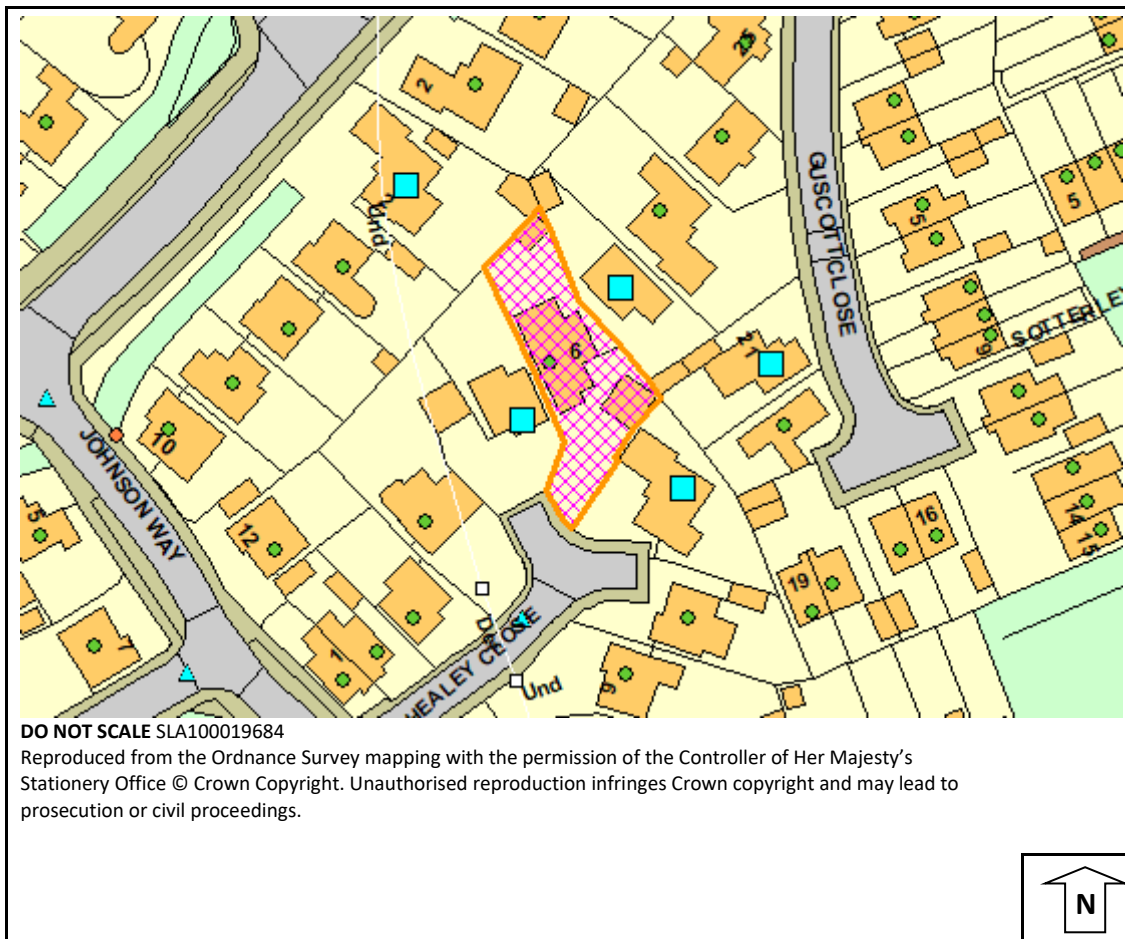
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

Background Papers

See application reference DC/23/0283/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North – 11 April 2023

Application no DC/22/4246/FUL

Location

Admiral House
The Street
Walberswick
Southwold
Suffolk
IP18 6UE

Expiry date 26 December 2022

Application type Full Application

Applicant Mr T Hincks

Parish Walberswick

Proposal Outdoor swimming pool & retrospective fencing.

Case Officer Charlie Bixby
01394 444572
charlie.bixby@eastsuffolk.gov.uk

1. Summary

- 1.1. The application seeks permission for an outdoor swimming pool, associated hardstanding and retrospective fencing along the front boundary. The outdoor pool would be located ahead of the main dwellinghouse in the front garden area behind the fencing that has already been erected.
- 1.2. The application triggered the Planning Referral Process because the officers 'minded to' recommendation of approval is contrary to the representation of Objection from the Parish Council. The application was therefore taken to the Planning Referral Panel on 28 February 2023. The Panel referred the application to Planning Committee.
- 1.3. The application is recommended for approval subject to conditions.

2. Site Description

- 2.1. The application site is located within the defined development limits of the local service centre of Walberswick and within the Walberswick Conservation Area and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).
- 2.2. There is an existing garage located to the south west of Admiral House within the far corner of the property's curtilage. The garage and concrete slab are 'set' 1.2 meters below the ground level of the adjacent garden but at the same height as The Street. The raised garden provides for a grassed raised bank along the southern extent of the property's curtilage where it meets The Street. This grassed bank is described within the Walberswick Conservation Area Appraisal as characteristic to the area of Walberswick and a feature that 'enhances the feeling of simplicity and rural informality'.

3. Proposal

- 3.1. The application seeks permission for an outdoor swimming pool, retrospective fencing and associated hardstanding in the surrounding area. The outdoor pool would be located ahead of the main dwellinghouse in the front garden area.

4. Consultees

Third Party Representations

- 4.1. Two neighbour objections have been received, objecting mainly to the impact the proposed outdoor pool will have in terms of noise levels. The objections also raise concerns regarding the pool being on a raised piece of land above the road and 'dominating the road' in this regard. Impact upon local wildlife has also been raised as a concern.

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	4 November 2022	30 November 2022
<p>Summary of comments:</p> <p>In the opinion of the Parish Council the application should be REFUSED. Specifically the impact of noise and the amenity of the neighbours, residents and visitors to the village due to the development being so close to the road. Light pollution is a particular concern due to again the location of the development and the impact on the 'dark sky' which is a very important part of the aesthetic of the village and surrounding area.</p> <p>Should it be approved then the Parish Council strongly suggests that the location of the development be moved away from the roadside and located deeper within the plot.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	4 November 2022	10 November 2022
Summary of comments: No objections, requests condition(s).		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 January 2023	6 February 2023
Summary of comments: Recommend condition requiring a noise assessment and mitigation measures if appropriate.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 January 2023	No response
Summary of comments: No additional comments made, see original comments.		

Consultee	Date consulted	Date reply received
Walberswick Parish Council	26 January 2023	9 February 2023
<p>Summary of comments:</p> <p>"In November the Parish Council set out in it's role as a statutory consultee its reasons for recommending refusal of the above application.</p> <p>However subsequent to that report, the Parish Council notes that an Updated Plan has been submitted in respect of the same application, which includes a fence to the full length of the boundary between the property and The Street. Since the fence indicated on the plan already exists, the Parish Council considers it ought to be considered as a Retrospective Application and not as an Updated Plan and therefore requires a new Application.</p> <p>Were such a retrospective Application to be submitted the Parish Council would recommend refusal.</p> <p>Reasons</p>		

Admiral House lies in the heart of the Walberswick Conservation Area, indeed the CA Appraisal for this area of The Street is indicated as having 'Important Views'. The fence in question is of woven wicker and is some thirty metres in length, some two metres in height and sits on a bank approximately one metre high which brings the top of the fence to more than three metres above the road level. It is a overpowering and alien presence (not helped by a plywood screen between the brick gateposts.)

The Local Plan guidance states that additions should enhance a Conservation Area. In the view of the Parish Council this does not do so."

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	10 November 2022	1 December 2022	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 17 November 2022 Expiry date: 8 December 2022
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5. Planning policy

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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)

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

SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021

Historic Environment Supplementary Planning Document.

6. Planning Considerations

Visual Amenity and Conservation Area

- 6.1. The application seeks permission for an outdoor rectangular shaped pool with hardstanding surrounding the pool and leading to the main dwellinghouse, the pool is to be located ahead

of the main dwellinghouse located in the front/side garden area. The garden area is screened by an existing willow fence on a higher banked parcel of land.

- 6.2. The outdoor pool location, although on higher land than that of the road, is screened by an existing willow fence (that forms part of the current application) and is located on the grass bank adjacent the streetscene which will provide sufficient cover. The parcel of land designated for the pool and hardstanding will be clearly screened from public views and there are no visual amenity concerns with this form of development. The design of the pool/hardstanding area is considered to be acceptable.
- 6.3. The application also seeks planning permission for the front facing willow fencing, which has already been erected and in place for a number of years. The fence covers the front of the application site spanning approximately 34m in width and then alongside the drive to the dwelling. The height of the fencing is 2m at its maximum height, but the height varies due to the embankment and changes in level. The proposed fencing replaces previous vegetation, and the associated trees appear to have been removed with Conservation Area consent (TCA) applications and only one remains on the front boundary.
- 6.4. The character of the Conservation Area would be preserved as the swimming pool and hardstanding, would be screened by the willow fencing, and that fencing is of an attractive traditional style that is in keeping with its context. Therefore, the requirements of the Listed Buildings and Conservation Areas Act 1990 to preserve or enhance the character of the Conservation Area would be fulfilled.
- 6.5. The revised block plan indicates a low level structure to house the plant/pool filter etc. Unfortunately, the application does not include details on its height or appearance, although it is accepted that they may be influenced by any noise attenuation measures that have to be implemented around the plant/equipment. The structure is shown as being proposed to the rear of the existing garage building and therefore it would be screened from public vantage points by the garage and the willow fencing. Therefore, the principle of a low level structure in this location would not result in harm to visual amenity in terms of views from public vantage points or to the character of the Conservation Area. However, a condition should be included on any consent requiring the submission of precise details of the size and external appearance of this structure so that it can be ensured that it is truly low level and hidden from views from public vantage points.
- 6.6. Overall, the proposal is considered to be compliant with the Listed Buildings and Conservation Areas Act 1990, the NPPF, local planning policies SCLP10.4, SCLP11.1 and SCLP11.5, and the Historic Environment Supplementary Planning Document, in terms of visual amenity and heritage considerations.

Residential Amenity:

- 6.7. The proposal is for an outdoor pool and associated hardstanding in the centre of the plot, ahead of the main elevation of the dwellinghouse. The application site is on a large plot of land with the dwelling located to the right hand side of the plot, the outdoor pool would be an ancillary feature to the dwellinghouse. Due to the size of the plot and the proposed position of the outdoor pool it would be located a suitable distance away from the neighbouring properties adjacent the site.

- 6.8. The proposed outdoor pool is not considered to represent an unacceptable source of noise. Outdoor pools are not uncommon on larger plots and this pool will be located as centrally as possible to avoid potential neighbouring impact. It is accepted the use of the pool will create some noise and activity during summer months, but this would not really be any different to normal garden activity, and there is nothing inherent in the proposals that would cause amenity harm.
- 6.9. That being said, the pool filtration, pumps and associated equipment have the potential to generate significant noise when they are working. The Environmental Protection Team has therefore recommended that any consent includes a condition requiring a noise assessment and mitigation measures prior to installation. Such a condition would meet the tests in the NPPF, and help to safeguard the amenity of adjoining residents, so is included in the recommendation.
- 6.10. The revised block plan submitted includes details of the location and footprint of a 'proposed low level store for pool filter etc' to house the equipment, which would mean it would be enclosed, reducing potential noise levels. It is unfortunate that it is proposed to be located closer to the neighbouring dwelling than the applicants own house. However, it is recommended to condition its size, appearance, and materials, and it would need to be a consideration in the noise assessment and mitigation required under the condition referred to above. Therefore, these conditions mean that the amenity of the adjoining residents will be safeguarded.
- 6.11. The application does not include any details of external lighting. However, if such lighting was to be installed around the pool and pump/pool filter equipment housing, it would have the potential to affect the amenity of the neighbours and the character of the locality. Therefore, it is appropriate to include a condition requiring the submission and approval of details of an external lighting scheme prior to any lighting being installed.
- 6.12. Therefore, subject to conditions requiring details of the 'proposed low level store for pool filter etc', and the noise assessment and mitigation measures, this scheme is acceptable in terms of residential amenity considerations and would accord with the requirements of the NPPF and Local Plan Policy SCLP11.2.

Archaeology

- 6.13. The Suffolk County Council Archaeology department have commented on the application stating that there is a high potential chance for discovery of archaeological remains underground in the core settlement area of Walberswick, which includes this application site and therefore requests conditions requiring a Written Scheme of Investigation (WSI) to be submitted to the local planning authority prior to commencement of works, and a condition requiring the submission of the site and post investigation prior the commencement of the use. These conditions are appropriate and meet the tests in the NPPF, and therefore are included in the recommendation.
- 6.14. Subject to these conditions, the scheme accords with the requirements of the NPPF and Local Plan Policy SCLP11.7

7. Conclusion

- 7.1. This scheme to retain the existing willow fencing and install a pool with associated plant housing and hardstanding is acceptable in terms of visual amenity, impacts upon the character of the conservation area, residential amenity, and archaeology - provided certain conditions are imposed on the consent.
- 7.2. Subject to these conditions, the proposal accords with the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, Local Plan Policies SCLP10.4, SCLP11.1, SCLP11.2, SCLP11.5 and SCLP11.7, and the Historic Environment Supplementary Planning Document. The objections received have been fully considered, but officers conclude that there are no material considerations that would indicate for a decision of refusal. The scheme accords with the Development Plan and permission can be granted.

8. Recommendation

- 8.1. Approve subject to conditions.

9. Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with 6407-1 & 6407-2 received 25/1/2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

2. 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

3. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2021).

4. The pool shall not come into use, 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 3 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2021).

5. Prior to the installations of any fixed plant or machinery (e.g. air source heat pumps and water pumps) a noise assessment must 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. Only the approved details shall be implemented.

Reason: To protect the amenities of the occupiers of nearby dwellings.

6. Prior to any works commencing in the 'proposed low level store for pool filter etc' full details of its height, width, depth and external appearance including materials and finishes, shall be submitted to and approved by the Local Planning Authority. Thereafter the approved details shall be implemented in their entirety prior any plant within the structure being first used, and it shall be retained and maintained in its approved form.

Reason: The application did not include the necessarily details for consideration, and they are required in the interests of residential amenity, visual amenity and safeguarding the Conservation Area.

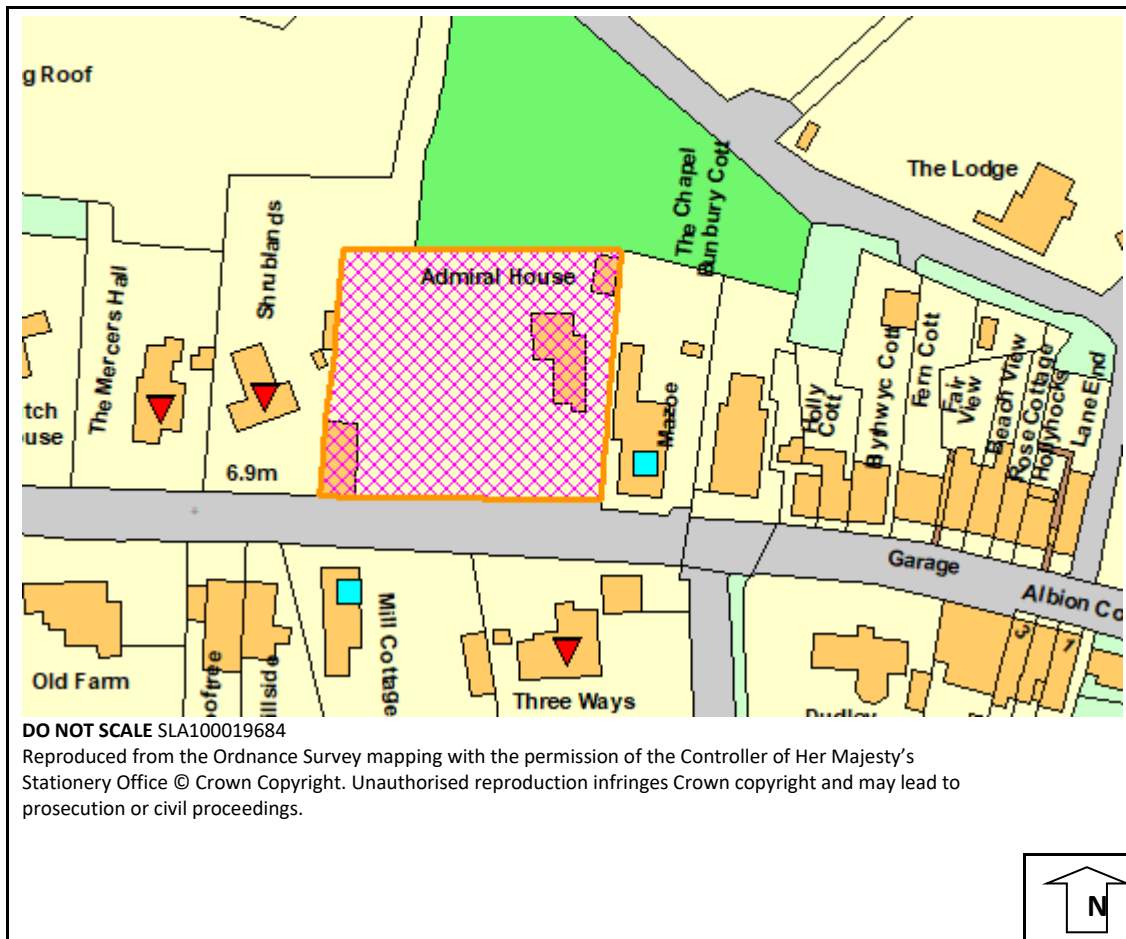
7. No external lighting shall be installed without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels). Thereafter only the approved lighting scheme shall be installed and maintained in that form.

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





Background Papers

See application reference DC/22/4246/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 11 April 2023

Application no DC/22/4189/FUL

Location

Leiston Town Athletics Association
Victory Road
Leiston
Suffolk
IP16 4DQ

Expiry date 18 December 2022

Application type Full Application

Applicant Leiston Football Club Mr D. Williams

Parish Leiston Cum Sizewell

Proposal Installation of a replacement floodlighting system consisting of 12no LED floodlights fitted to existing 17.5m columns and 6No. LED floodlights fitted to 2No. new 18m galvanised steel columns.

Case Officer Steve Milligan
07867 158060
steve.milligan@eastsuffolk.gov.uk

1. Summary

- 1.1. This is a full planning application for replacement LED directional sports lighting on existing columns, and two new columns at the Victory Stadium, Leiston Town Athletics Association, Victory Road, Leiston, IP16 4DQ. The development consists of 12no LED floodlights fitted to existing floodlight columns and 6No. LED floodlights fitted to 2No. new 18m galvanised steel columns.
- 1.2. The existing grass pitch is located to the West of the main clubhouse building with three sides of the pitch surrounded by residential properties. Victory Road to the North, Huntingfield Road to the East and Lime tree Avenue and Sycamore Close to the South.
- 1.3. There are 4No. existing 18m high floodlight columns to the corners of the pitch, installed following the grant of planning permission C99/0976 which are proposed to be lowered to 17.5m. The lamps are now in need of replacement.
- 1.4. C99/0976 included conditions restricting hours of use to not beyond 10.00pm and restricting luminance levels at nearby residential properties.
- 1.5. This replacement lighting system utilises existing columns with just 2No. additional columns at the halfway line resulting in a minimum change to visual impact within the area. The new LED lights will result in less light spill than the old halogen lamps to be replaced. Use is proposed to be extended up to 10.30pm on two days a week.
- 1.6. Subject to conditions to limit luminance levels at nearby residential properties and hours of use, the proposed development is considered acceptable and is recommended for approval.

Reason for consideration by Planning Committee

- 1.7. The application is for determination by Planning Committee because the site is in the ownership of East Suffolk Council.

Recommendation

- 1.8. Approve. Conditions regarding luminance levels and hours of use.

2. Site Description

- 2.1. The site is Victory Stadium, Leiston Town Athletics Association, Victory Road, Leiston. The site comprises a club house/facilities building, stands, main pitch and practice areas. The existing main pitch is a grass pitch which is located to the West of the main clubhouse building with three sides of the pitch surrounded by residential properties: Victory Road to the North, Huntingfield Road to the East, and Lime tree Avenue and Sycamore Close to the South.
- 2.2. There are 4 No. existing 18m high floodlight columns to the corners of the pitch, installed following the grant of planning permission C99/0976. These have halogen lights, and the lamps are now in need of replacement.

- 2.3. C99/0976 included conditions restricting hours of use to 10.00pm and restricting luminance levels at nearby residential properties.
- 2.4. A further permission for the installation of two 13.8m lighting towers within the southern part of the site, to provide floodlighting of a training area, was consented under DC/18/3597/FUL, with conditions restricting hours of use to 9.30pm and restricting luminance levels at nearby residential properties.

3. Proposal

- 3.1. The proposal is to retain the 4No. existing 18m columns, which are proposed to be lowered to 17.5m with the installation of the very latest directional LED floodlighting to them; 3No. lamps to each column. In addition to this 2 No. new 18m Columns will be located each side of the pitch at the halfway line accommodating 3 lamps each. The additional columns ensure a more even distribution of light than corner only lighting.
- 3.2. The construction process comprises installing 2 new bases to accommodate the central columns and electrical equipment from the main clubhouse building. The proposed finish of the columns will be tubular galvanised with the luminaires being a brushed dark grey finish.
- 3.3. Renewal of the existing system is required to update the ageing and failing existing floodlight system with a modern floodlight system that is more efficient and gives less light pollution. The new installation is required to meet ground grading requirements for the Southern League and will ensure the future of the club for many years, not only at the current level of competition, but it will also enable opportunity for progression through promotion along with a future 3g pitch installation. The current halogen floodlights are not fit for purpose and are part of an aged system with the age of the existing system making it almost impossible to source replacement lamps as they are no longer made.
- 3.4. The two northern columns are proposed to be fitted with screens to reduce light spill north of the pitch.

4. Consultees

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	26 October 2022	2 November 2022
<p>Summary of comments:</p> <p>Leiston-cum-Sizewell Town Council is pleased to support this application subject to the following: We defer to the expertise and comments provided by SCC Lighting, and Environmental Protection regarding light pollution and glare.</p> <p>We note that at the time of submitting our response no comments have been made by nearby residents and we would want to be reassured that they are not inconvenienced by an increase in glare and light pollution.</p> <p>Please note: Leiston has ambitious plans to be Net Zero https://www.netzeroleiston.info/ and are pleased to note the introduction of LED lighting as a means of reducing carbon footprint.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 October 2022	26 October 2022
<p>Summary of comments:</p> <p>The documents submitted state that the upgrading of the lights will reduce overall light spill and light pollution due to the more directional lighting. This is a positive.</p> <p>However, the reports state that all neighbouring residential properties will receive less than the recommended levels of light from spillage, but I am concerned that to the north this may not be correct. At least one property appears to be very close to the boundary and from the information available to me, appears to be residential.</p> <p>This looks likely to receive significantly higher than recommended levels of light pollution. Artificial light can be considered a Statutory Nuisance. As such it is important that this is considered before the work is carried out, as the council would have to investigate any complaints of nuisance made at a later date.</p>		

Consultee	Date consulted	Date reply received
SCC Lighting Engineer	26 October 2022	27 October 2022
<p>Summary of comments:</p> <p>The attached lighting design does not specify any beam angle or orientation of each lantern. The design states: The limit of vertical light to windows will not exceed 5 lux. I am not certain what type of dwelling is to the north but this does exceed 5 lux, therefore I would suggest that the floodlights at this end of the pitch are fitted with integral shields to reduce light spill.</p>		

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 27 October 2022

Expiry date: 17 November 2022

5. Planning policy

SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP8.2 - Open Space (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

National Planning Policy Framework 2021 (NPPF)

6. Third Party Representations

6.1. None received.

7. Planning Considerations

- 7.1. All applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan comprises the East Suffolk (Suffolk Coastal) Local Plan 2020 and the Leiston Neighbourhood Plan 2017.
- 7.2. There is support generally for community facilities and assets under Policy SCLP8.1 and support for recreation facilities under Policy SCLP8.2 of the Local Plan.
- 7.3. Policy SCLP10.3: Environmental Quality states that light pollution will be a consideration on planning applications and that development proposals will be expected to protect the quality of the environment and to minimise all forms of pollution and contamination.
- 7.4. Policy SCLP10.4 states that proposals for development should protect and enhance the tranquillity and dark skies across the plan area. Exterior lighting in development should be appropriate and sensitive to protecting the intrinsic darkness of rural and tranquil estuary, heathland and river valley landscape character.
- 7.5. Whilst Policy SCLP10.1 seeks to protect ecological considerations and Policy SCLP11.2 seeks to safeguard residential amenity.
- 7.6. There are no policies relevant to the development within the Neighbourhood Plan.

Visual impact and residential amenity

- 7.7. The Agent confirms that the system is designed taking account of the latest planning guidance and AGI32 software which is the latest software to accurately map out light spill.
- 7.8. The proposed lighting system comprises of 6No. columns and 18 x LED040 900W (integrated drivers) NST Optics directional luminaires delivering 205 lux. The vertical light to buildings guidance is 5 lux and the attached lux illustration shows Lux levels to not exceed 5 lux when measured in the vertical plane at the closest property which lies to the north. The majority of surrounding residential properties will experience lower Lux levels, well within the guidelines of The Institute of Lighting Professionals: Guidance Notes for The Reduction of Obtrusive Light GN01:2011.

- 7.9. The replacement lighting system utilises existing columns with just 2No. additional columns at halfway line resulting in a limited change to visual impact. Following receipt of the EHO comments the scheme was amended so that lights are proposed to be angled and shielded to reduce glare/light levels to an acceptable level. Light modelling/calculations were received 12.12.2022, and the proposed condition 3 controls the Lux levels in the surrounding environment in respect of residential properties.
- 7.10. The scheme includes the installation screens to the two northern lamp columns to reduce light spill in a northerly direction. This will increase visual impact, but the level of change is not considered to be significant and there will be a reasonable balance between increased visual impact and the protection of residential amenity.
- 7.11. The proposed usage of the lighting is (winter months) Monday, Wednesday, and Fridays 1800hrs - 2200hrs; Tuesday and Thursday 1800hrs - 2230hrs; Saturdays 1430 - 1830hrs and Sundays 1430 - 1830hrs. This is stated to be unchanged from existing current usage times; although C99/0976 was limited to 10pm.
- 7.12. For two days a week, an increase until 10.30pm on the hours authorised by C99/0976 is not considered unreasonable and no objections to the stated hours have been received from neighbours. It is understood that the later hours on the Tuesday and Thursday will be rare and would be in the event that cup games go into extra time and penalties. On this basis it is considered that there will not be significant adverse impact upon the amenity of residents from either increased use/hours of use or lighting levels.

Ecology

- 7.13. The primary use of the lighting will be during the winter (November to Easter) and the directional lighting is confined to lighting the playing area. Given the use is mainly outside the season where bats would be foraging and the lighting level is limited outside the playing area, a bat survey was not commissioned and there is not considered to be any additional impact compared to that which occurs from the use of the current floodlight system.

8. Conclusion

- 8.1. The new installation is required to meet ground grading requirements for the Southern League and will ensure the future of the club for many years, not only at the current level of competition, but it will also enable opportunity for progression through promotion along with a future 3g pitch installation. The current halogen floodlights are not fit for purpose and are part of an aged system.
- 8.2. The proposal is more efficient has been designed to minimise the visual impact both at night and during the day.
- 8.3. The impact upon the character of the area and night-time environment would not be significantly different or will be an improvement to the existing situation and there will not be conflict with the residential amenity of neighbours or wider townscape/landscape.
- 8.4. It will be in compliance with the policies of the Development Plan and NPPF.

9. Recommendation

9.1. Approve subject to conditions.

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 carried out in accordance with the following approved plans/reports:

LEISTONFC 47080 Rev D received 12.12.2022;
2022/LEISTONFC/01 received 24.10.2022;
2022/LEISTONFC/02 received 24.10.2022;
2022/LEISTONFC/03 received 12.12.2022;
2022/LEISTONFC/04 received 12.12.2022.
Drawing of light shield received 16.03.2023.

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

3. The luminance levels from the floodlighting shall not exceed:
 - i) 5 lux measured in a vertical plane at the window of any habitable room of any dwellinghouse in the locality;
 - ii) 10 lux measured in the horizontal plane from the curtilage of any dwellinghouse in the locality.

Reason: In the interests of amenity.

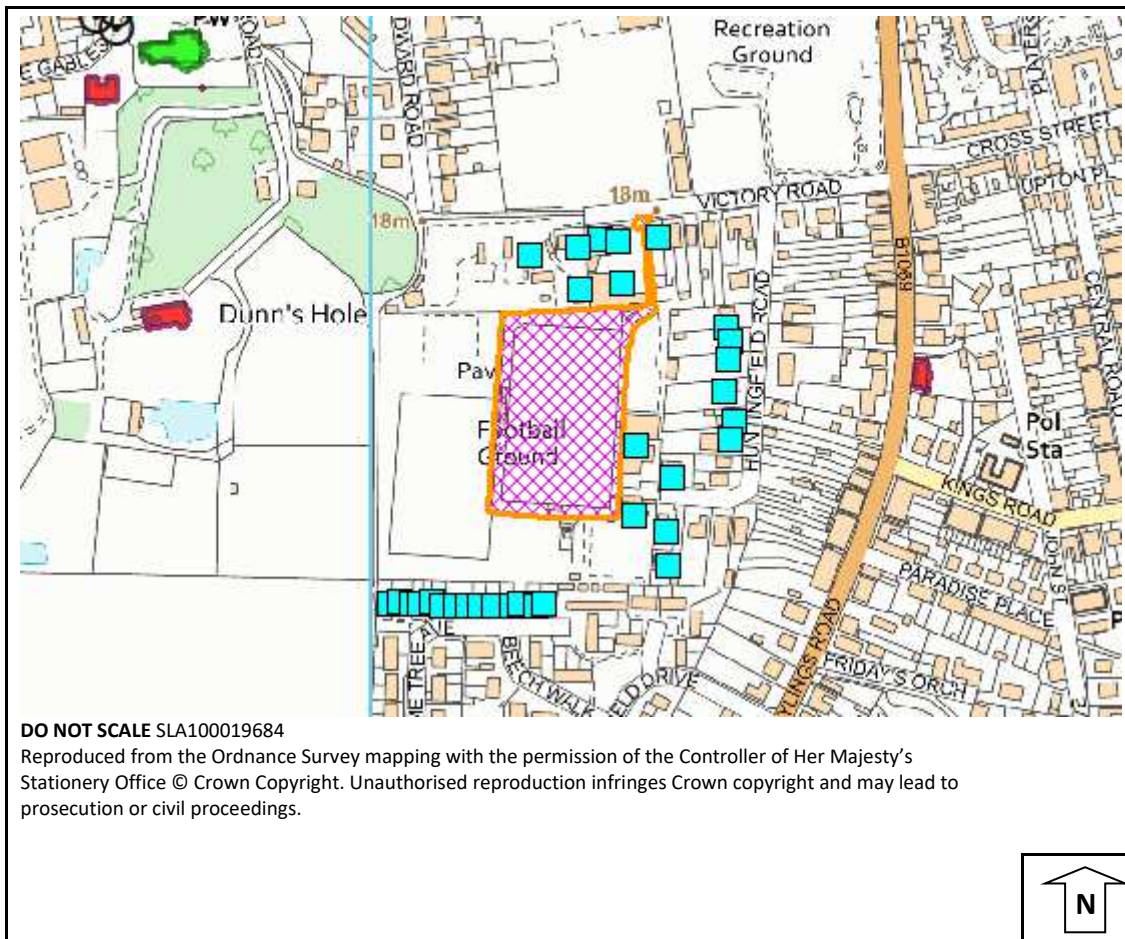
4. The lighting shall not be operated outside the following hours: Monday, Wednesday, and Fridays 1800hrs - 2200hrs; Tuesday and Thursday 1800hrs - 2230hrs; Saturdays 1430 - 1830hrs and Sundays 1430 - 1830hrs.

Reason: In the interests of amenity and for the avoidance of doubt as to what has been considered and approved.

Background Papers

See application reference DC/22/4189/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support