



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

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Jocelyn Bond
Councillor Norman Brooks
Councillor Linda Coulam
Councillor Graham Elliott
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a Meeting of the **Planning Committee North**
to be held in the Conference Room, Riverside,
on **Tuesday, 11 June 2019 at 2:00pm**

An Agenda is set out below.

Part One – Open to the Public

Pages

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- | | | |
|----------|---|---------------|
| 1 | Apologies for Absence and Substitutions | |
| 2 | Declarations of Interest
Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. | |
| 3 | DC/19/0920/COU - Broadland Sands Holiday Park, Church Lane, Corton ES/0035
Report of the Head of Planning and Coastal Management | 1 - 11 |

- | | | |
|----------|---|----------------|
| 4 | DC/19/0061/FUL - Spexhall Hall, Hall Road, Spexhall, Halesworth ES/0036
Report of the Head of Planning and Coastal Management | 12 - 21 |
| 5 | East Suffolk Enforcement Action – Case Update ES/0037
Report of the Head of Planning and Coastal Management. | 22 - 34 |

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

Interested parties who wish to speak at a Planning Committee meeting will need to register before the start of the meeting, the registration to speak at meetings can take place any time in the five days leading up to the Committee date up to 5pm, the day prior to the scheduled meeting.

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

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

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

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www.local.gov.uk/Community-Leadership

NORTH AREA PLANNING COMMITTEE – 11 June 2019

APPLICATION NO: DC/19/0920/COU

EXPIRY DATE: 1 May 2019 (extension agreed to 14 June 2019)

APPLICATION TYPE: Change of Use

APPLICANT: Park Holidays UK Ltd

LOCATION: Broadland Sands Holiday Park, Coast Road, Corton, Lowestoft

PARISH: Corton

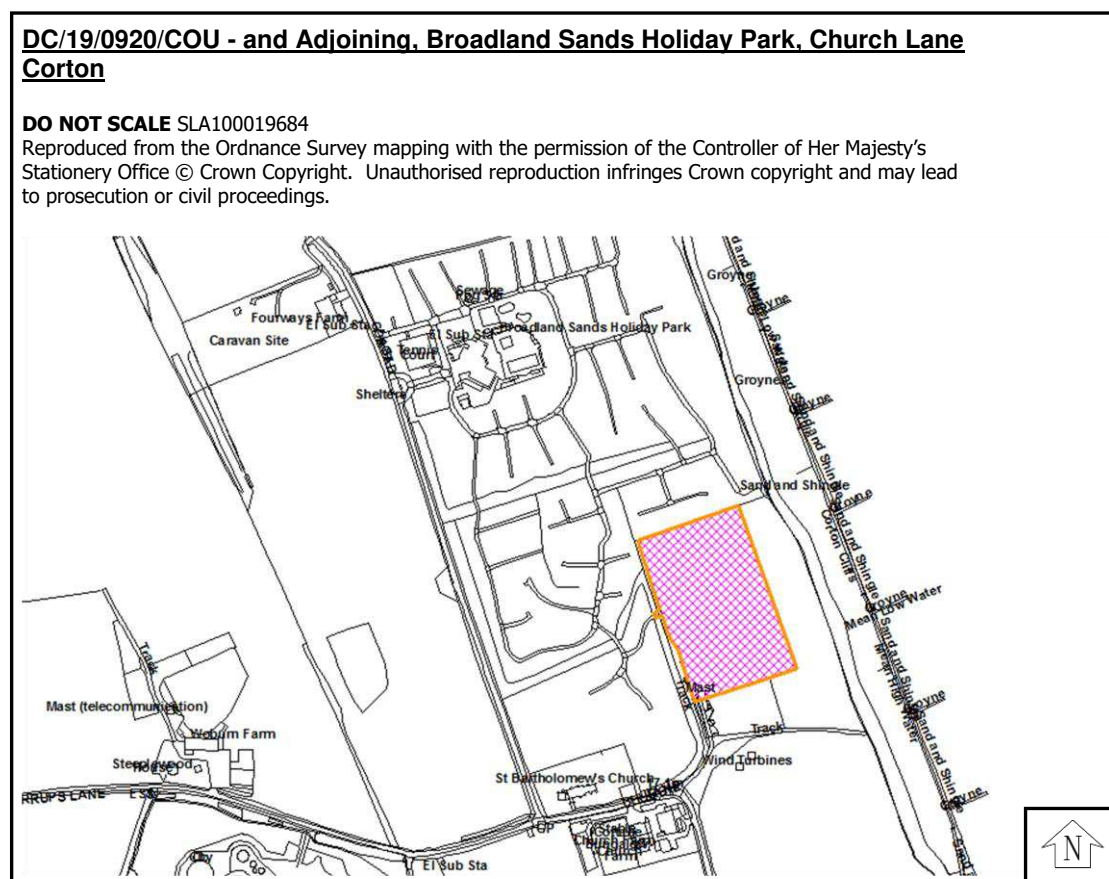
PROPOSAL: Land Adjoining, Broadland Sands Holiday Park, Church Lane, Corton

CASE OFFICER : Melanie van de Pieterman

Email: Melanie.vandePieterman@eastsuffolk.gov.uk

Phone: 01502 523023

MAP



1 EXECUTIVE SUMMARY

- 1.1 The submitted application covers two sites and seeks approval for a change of use of agricultural land to the east of St Bartholomew's church for the stationing of static caravans and lodges and as an extension to the existing facility of Broadland Sands, Corton

to allow for the repositioning of some existing vans due to coastal erosion and the installation of a small number of additional vans. The extension is considered necessary to facilitate a short term futureproofing of the business due to coastal erosion and roll-back.

- 1.2 The application is presented to members due to a previous refusal (DC/18/0813/COU) and at the request of the Head of Planning and Coastal Management on the basis of scale of the development, and for economic, tourism, business and conservation issues regarding the proximity of the Grade II* listed church and its wider setting.
- 1.3 The site has been reduced in size and the western element that raised the most concern has been removed and this application relates purely to the smaller eastern site.

2 SITE DESCRIPTION

- 2.1 Broadland Sands is a well-established holiday centre to the northernmost limits of Waveney and Lowestoft and is very close to the border with Norfolk and the village of Hopton which is also a popular and well established popular holiday area with associated centres and facilities at both local and national level.
- 2.2 The existing Broadlands holiday site is located to the eastern side of Coast Road between the cliffs and the road. St Bartholomew's church is to the south western corner with the remainder of the area being predominantly agricultural with some smaller tourist sites accommodating mobile caravans and tents and the former railway line running to north to south along the western edge of the application site itself. The existing holiday centre can be accessed either from Hopton village, via the A47 along Stirrups Lane or via Corton village.
- 2.3 Broadland Sands Holiday Park is an existing destination to the north of Corton, currently covering a site of approximately 13.5 hectares. Within that area there is a mature and extensive development of static caravans together with associated bar restaurant, swimming pool, play and sports areas, pitch and putt golf course and ancillary facilities. The expansion of the holiday park is made possible by purchase of the immediately adjacent farmland to the south east of the existing holiday park which measures approximately 1.6 hectares of land.
- 2.4 The existing caravan park has had planning permission for a previous extension containing larger lodges on the site (Ref: DC/14/3876/FUL) which is currently under construction and is proving very popular with owners and visitors alike. The application proposal would offer a mix of standard static caravans and the more luxurious style lodges, along with open space and. A further application was approved in October for the erection of a new swimming pool complex (D2/A5), children's playground, crazy golf course, climbing wall, archery/activity space, decking link to the existing clubhouse and associated facilities (Ref: DC/18/3277/FUL).

3 PROPOSAL

Change of use of land for the relocation of existing vans due to coastal erosion and for the stationing of static holiday caravans and associated works and landscaping.

4 CONSULTATIONS/COMMENTS

4.1 Corton Parish Council have given time and thought to this planning application and although they do not object to the concept, they would like the following to be given due consideration:

1. The Parish Council are interested in receiving clarification from Broadland Sands, on the preferred route for vehicles travelling to the site, as there is concern at the amount of unauthorised direction signs in and around the village of Corton.
2. It is difficult to determine the public footpath, it is felt signage needs to be clear and a footpath clearly identified as it is currently blocked midway on site by a caravan plot.
3. Under no circumstances should there be any access from Church Lane leading to the Old Sewage works, this is on a sharp bend with severely restricted visibility, an entranceway at this point would be a danger to all road users.
4. Visibility on egress of Broadland Sands is limited due to the siting of caravans for sale, it is felt this causes a danger to the travelling public which would worsen with increased traffic flow.
5. The transport technical note produced within the planning documents contain a number of inaccuracies. Roads in some instances have been incorrectly identified, it mentions the A259 which is a major road in the South of England. Images are historical and do not reflect the current situation. It also mentions a speed restriction on site of 5 mph when in fact it is 10mph

Statutory Consultees

4.2 Natural England – No objection

4.3 Suffolk County Highways - The proposal for a net increase of 42 caravans located on the same side of Coast Road as the main site amenities is not sufficient to justify highway improvements, or lead to a significant impact upon the highway.

4.4 PROW -Nothing should be done to stop up or divert the Public Right of Way without following the due legal process including confirmation of any orders and the provision of any new path.

4.5 Historic England - Historic England has concerns regarding the application on heritage grounds due to the erosion of the rural setting which contributes to the significance of the grade II* church. We consider that the issues outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 192 of the NPPF.

- Further comments are awaited following further information being sent to HE as requested and members will be updated accordingly.

Non Statutory Consultees

4.5 Head of Environmental Health – No objection

4.6 Head of Economic Development: Economic Development seeks to support applications that clearly support and further the economic growth and regeneration of the local economy. Tourism is a significant economic driver and one of our key sectors as listed in the East Suffolk Economic Growth Plan 2018-2023. Encouraging existing businesses to invest and grow is also one of the three main priorities in the plan and job creation is one of our key objectives.

Tourism is a key driver of economic growth (East Suffolk Economic Growth Plan) and our primary aims, as described in the East Suffolk Tourism Strategy, are to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences. We would be pleased to see the creation of rural employment opportunities and the generation of income into the local economy as a result.

Third Party Representations – none received

5 PUBLICITY:

Category	Publication date	Expiry	Publication
Major Application, Adjacent to Listed Building, Public Right of Way Affected,	22.03.2019	12.04.2019	Beccles & Bungay Journal
Major Application, Adjacent to Listed Building, Public Right of Way Affected,	22.03.2019	12.04.2019	Lowestoft Journal

6 SITE NOTICES

The following site notices have been displayed: General Site Notice

Reason for site notice: Major Application, Adjacent to Listed building, In the Vicinity of Public Right of Way,
Date posted 29.03.2018 Expiry date 18.04.2018

7 PLANNING POLICY

7.1 Section 38(6) of the Planning and Compensation Act 1990

7.2 The National Planning Policy Framework (2019) and National Planning Policy Guidance (NPPG) forms a material consideration in the determination of this application.

7.3 Planning (Listed Buildings and Conservation Areas) Act 1990, Part II

7.4 East Suffolk (Waveney) Local Plan 2019

- WLP8.15 – New Self Catering Tourist Accommodation
- WLP8.17 – Existing Tourist Accommodation
- WLP8.25 – Coastal Change Management Area
- WLP8.26 – Relocation and Replacement of Development Affected by Coastal Erosion
- WLP8.29 – Design
- WLP8.40 – Archaeology

8 PLANNING CONSIDERATIONS

Principle

- 8.1 The primary issue to be considered is that of principle of development. The site is located outside of any physical limits and is within the open countryside and is also immediately adjacent to the Grade II* listed St Bartholomew's Church. As such the setting of the listed building is a matter of concern, however this also needs to be weighed against the employment, economic and tourism benefits that the extension would bring, and assessed against the potential loss of existing space due to coastal erosion, which would have an impact on existing employment, economic and tourism principles.
- 8.2 The National Planning Policy Framework is generally supportive of tourism and states that local plans should support sustainable rural tourism which benefits the rural economy whilst respecting the character of the countryside. The East Marine Plan recognises the importance of tourism in coast areas and seeks to support tourism proposals and minimise harm resulting from development on tourism.
- 8.3 With regards to policy, the proposal is related to a nearby tourist enterprise and goes some way to serving the needs of a rural enterprise; therefore planning policy could allow for such a development. The development as submitted does not increase the risk of coastal erosion or risk to property and includes screening measures to integrate the development into the landscape.
- 8.4 Consideration of rollback has also been included in the application which accords with para 5.20-5.22 of the Coastal Change SPD, which specifically relates to caravan sites. Notwithstanding this however assurance has been received that the caravans located in the 'Eastern Site' are movable in the case that rollback is required due to coastal erosion and this element has been agreed with Coastal Management officers who have been involved with lengthy discussions with Park Holidays. As such officers are of the opinion that the proposed development is broadly acceptable in principle and satisfies the provisions of policies WLP8.25 – Coastal Change Management Area and WLP8.26 – Relocation and Replacement of Development Affected by Coastal Erosion of the adopted East Suffolk (Waveney) Local Plan 2019.

Setting of listed building, landscape and heritage impacts

- 8.5 Following the primary issues relating to principle there are concerns surrounding the setting of the Grade II* listed church and officers, along with the agent and applicant have carried out numerous site visits and discussions with Historic England, and they are satisfied with the less than substantial impact generated by the smaller extension due to

existing topography and planting, however they have asked for some additional information and photo montages and these have been supplied. At the time of writing this report no response has been received, and members will be updated accordingly.

- 8.6 Nonetheless and notwithstanding the above further consideration is required of the National Planning Policy Framework (2018) and Paragraph 189 states that In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a result of this a heritage assessment was submitted and the scheme has been designed to try to reduce the impact of the development on the heritage asset insofar as possible, which includes a significant hedge planting and landscaping and whilst there will be some impact to the setting of the listed building this is less than substantial in this instance.
- 8.7 Furthermore paragraph 190 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal and when considering the impact of a proposal on a heritage asset, it should seek to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. As already stated the church has been identified as a designated heritage asset and that this has been taken into consideration within the scheme and therefore these requirements have been fulfilled.
- 8.8 Notwithstanding the above paragraphs 193 and 194 state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance and that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Officers have considered the impact of the development along with comments received from Historic England and discussions have been undertaken whereupon the general consensus was that the eastern extension, although having an enclosing effect, would be less than substantial given the lack of visibility of the church from this area. The former public coastal path has been lost to coastal erosion and the church is not visible from the beach and planting measures would not have a significant impact on the overall setting. Indeed the Council's Conservation officer has commented as follows:

"I am of the view that this proposal causes some harm, to the significance of the Grade II Listed Church of St. Bartholomew's by negative impact on its setting by the development of the open/agricultural land. This is considered to be less than substantial harm (as set out in clause 196 of NPPF). This harm, I consider, being of a medium/low level and is not of a level where I would recommend refusal. It is up to the planning Officer to weigh this harm against the Public benefit when coming to a decision".*

- 8.9 Finally the Councils Arboricultural and Landscape Manager and considered the comprehensive Landscape Visual Impact Assessment (LVIA) and has submitted

comprehensive comments which have been précised below (full comments are available on the council website):

“Apart from the seaward aspect, I do not consider that there will be significantly adverse visual impacts arising, post maturing of new planting and successful retention and management of existing boundary trees and hedges. Views from the coast path will remain unscreened and I consider these to be moderately adverse. However, overall I do not consider that there are reasonable grounds for objection on grounds of adverse landscape and visual impact”.

- 8.10 As such officers are satisfied that the harms identified to the setting of the listed building would be less than substantial in this particular instance and therefore the proposed development accords with local plan policy WLP8.37 – Historic Environment.

Coastal Erosion

- 8.11 The site is located within the Coastal Erosion Vulnerability Area and, as such, long-term plans have indicated that there will be a loss of land that will impact upon the operation of the site and place its future at risk. In order to future proof the park there needs to be an established roll-back programme in place. This issue has been discussed at length with the Coastal Management Team who are supportive of the proposed park extension and movement/ relocation of existing caravans and their comments are outlined in paragraph 4.6 above. However they have requested a condition be added should members be minded to approve the application.
- 8.12 There is a slight increase in numbers of vans on the site with 60 pitches in total being accommodated, 38 of which are for existing vans that need to be moved as has been agreed with Coastal Management along with an additional 22 pitches. Again this additional number has been agreed with Coastal Management who considers the slight increase in numbers acceptable.
- 8.13 Furthermore Coastal Management have commented that the revised CEVA ref SHF.201.087.HY.02.A dated March 2019 has addressed the matters noted in the original comments and is accepted as a very comprehensive and objective assessment of coastal change. Recommend a condition requiring the developer to prepare and implement an Erosion Monitoring/Response Plan that identifies triggers for timely caravan removal and decommissioning/removal of infrastructure that includes a margin of safety

Economy and employment

- 8.14 The Council’s Economic Development Team seeks to support applications that clearly support and further the economic growth and regeneration of the local economy. Tourism is a significant economic driver and one of our key sectors as listed in the East Suffolk Economic Growth Plan 2018- 2023. Encouraging existing businesses to invest and grow is also one of the three main priorities in the plan and job creation is one of the council’s key objectives.
- 8.15 The council are, as a whole, supportive of any new tourism accommodation proposals that would strengthen the visitor economy in Waveney and enhance the diversity of the current offer. Self-catering accommodation was worth £5,961,000 to the local economy in

2017 according to the Economic Impact of Tourism report and tourism is a key driver of economic growth (East Suffolk Economic Growth Plan) and one of the council's primary aims, as described in the East Suffolk Tourism Strategy, with the aspiration to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences and the economic and regeneration team have stated that they would be pleased to see the creation of rural employment opportunities and the generation of income into the local economy as a result of this proposed development.

- 8.16 Tourism data gathered by the United Kingdom Tourism Survey (UKTS) indicates that the parks industry accounts for nearly 90 million tourist bed nights which represents approximately 22% of the UK total. This introduces a spend in excess of £3 billion per annum (approximately 14% of the UK total). The park - as developed with 535 holiday caravans - contributes in the order of £8.8 to £13.8m per annum into the local economy. This amount would have a marginal increase with the additional 22 vans proposed but it would have some impact by way of approximate spend to the local economy of around £6500 per week in total which would work out to an estimated additional £350,000 per year or thereabouts (this is based on pure spend in the local economy and is based on figures supplied from Visit Britain and does not include employment increases)

Highways

- 8.17 With regards to highways there will of course be some limited impacts due to the potential increase in traffic created by the additional 22 vans however all identified highways issues have been addressed to the satisfaction of SCC Highways officers authorities and a number of conditions have been requested.
- 8.18 Corton Parish Council have raised concerns with regards to highways however in the absence of objections, and SCC highways officers confirming they are satisfied, then a refusal in highways grounds would be difficult to substantiate.

9 CONCLUSION

- 9.1 Whilst this application is relatively finely balanced given the potential impact of the development relating to the issues with the wider setting of the listed building, this needs to be considered against the potential investment in coastal improvements, coastal roll-back and the benefits that the park extension would bring to tourism, employment and the local economy and the cost implications on the district if this income were lost.
- 9.2 Given the above members are asked to consider whether the potential economic impacts, employment opportunities and improved transport proposals along with landscaping enhancements are sufficient to outweigh the harms identified to the setting of the listed building.
- 9.3 However officers consider that the reduced proposal complies with local planning policy, and the NPPF in terms of harm and setting, and that the economic and employment benefits would outweigh any remaining limited harms to the overall landscape, particularly given the level of landscaping and the relation of the site to the church which would be less than substantial. Furthermore the site would ensure the safe relocation of existing caravans and the additional number will not have a significant impact on the Coastal

Erosion Zone and has been agreed with Coastal Management as a suitable short to medium terms solution.

10 RECOMMENDATION

10.1 Approve subject to the following conditions:

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

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

2. The lodges and caravans shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain and up-to-date register of the names of all owners-occupiers of individual lodges on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: the proposed units are suitable for holiday accommodation but not suitable for residential use.

3. The use shall not commence until the area(s) within the site shown on Drawing No. SHF.201.087.LA.D.00.001 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 ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

4. Before the development is commenced details of the areas to be provided for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To encourage sustainable travel by providing secure covered cycle storage.

Note: Suffolk Guidance for Parking (2015) recommends 1 stand per 5 pitches.

5. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV Movements.

6. The alignment, width, and condition of Public Rights of Way providing for their safe and convenient use shall remain unaffected by the development unless otherwise agreed in writing by the Rights of Way & Access Team; any damage resulting from these works must be made good by the applicant.

Reason: To ensure the Public Right of Way is maintained and any damage rectified to the satisfaction of Suffolk County Council Rights of Way & Access Team

7. Prior to the first occupation of the site the applicant shall prepare and implement an Erosion Monitoring/Response Plan that identifies triggers for timely caravan removal and de-commissioning / removal of infrastructure that includes a margin of safety. It is recommended that the safety margin takes account of information in the CEVA that a cliff retreat of 8m in one year is possible as a consequence of an exceptional weather event.

Reason: To ensure that resilience measures are in place in the event of extreme weather events and to ensure the safety of occupants.

8. No development shall take place within a phase or sub-phase of the area indicated [the whole site] until the implementation of a programme of archaeological work for that phase 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:

- i. The programme and methodology of site investigation and recording
- ii. The programme for post investigation assessment
- iii. Provision to be made for analysis of the site investigation and recording
- iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- v. Provision to be made for archive deposition of the analysis and records of the site investigation
- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- vii. 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.

No buildings within a phase or sub-phase shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy WLP8.40 – Archaeology of the adopted East Suffolk (Waveney) Local Plan 2019 and the National Planning Policy Framework (2018).

Informatives:

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

Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of the Public Right of Way with a retained height in excess of 1.37 metres must not be constructed without the prior approval of drawings & specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Applicants are strongly encouraged to discuss preliminary proposals at an early stage, such that the likely acceptability of any proposals can be determined, and the process to be followed can be clarified.

Construction of any retaining wall or structure that supports the Public Right of Way or is likely to affect the stability of the right of way may also need prior approval at the discretion of Suffolk County Council.

If the Public Right of Way is temporarily affected by works which will require it to be closed, a Traffic Regulation Order will need to be sought from Suffolk County Council.

BACKGROUND INFORMATION: See application ref: DC/19/0920/COU
at www.eastsuffolk.gov.uk/public-access

NORTH AREA PLANNING COMMITTEE – 11 June 2019

APPLICATION NO DC/19/0061/FUL

EXPIRY DATE: 3 March 2019

APPLICATION TYPE: Full

APPLICANT: Mr Tim Sheldon

LOCATION: Spexhall Hall, Hall Road, Spexhall, Halesworth

PARISH: Spexhall

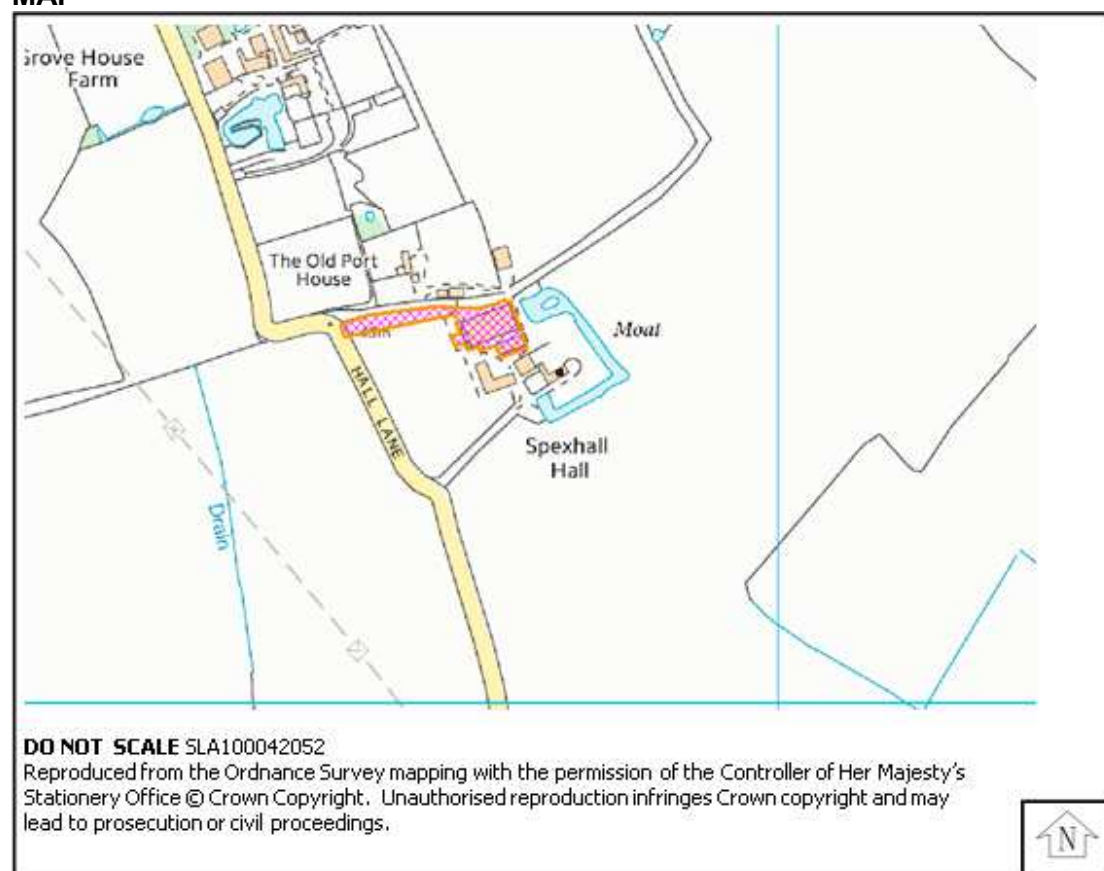
PROPOSAL: Demolish redundant agricultural buildings and build two residential dwellings. Also, to convert and extend the existing brick building to create three dwellings in total

CASE OFFICER : Philip Perkin

Email: Philip.Perkin@eastsuffolk.gov.uk

Phone: 01502 523073

MAP



1 EXECUTIVE SUMMARY

- 1.1 This application is a revised submission following an application for four dwellings which was refused by the Planning Committee on 14 August 2018.
- 1.2 The application seeks to demolish an agricultural building and replace it with two detached four bed houses. It is also proposed to convert and extend an existing outbuilding to create a two bed dwelling.
- 1.3 The site lies in the open countryside outside any defined physical limits where there is a presumption against new residential development in accordance with local and national planning policy. None of the exceptions that might apply to these policies of restraint in the open countryside, are applicable to the proposed development.
- 1.4 The site is in the setting of Spexhall Hall, a Grade II listed building. The proposed development would be harmful to this setting.
- 1.5 The application is contrary to Local Plan policies WLP1.2, WLP7.1, WLP8.7, WLP8.11 and WLP8.37 and as such is recommended for refusal and the NPPF (2019)
- 1.6 This application is before the Planning Committee at the request of the Referral Panel.

2 SITE DESCRIPTION

- 2.1 The application site is adjacent to Spexhall Hall, a Grade II listed farmhouse, on an isolated site in the countryside. To the northwest of the Hall are two large agricultural buildings. One of these buildings (a concrete block/metal clad portal framed building) has permitted development rights to be converted to three dwellings following the submission of a Prior Notification application in 2016 (Ref. DC/16/4723/PN3).
- 2.2 Immediately to the south of these buildings is a red brick and pantiled building and covered storage area which is within the application site. Adjacent to this building is a single storey building that is outside the application site and opposite this building is a further range of single storey buildings that are also outside the application site.

3 PROPOSAL

- 3.1 This application seeks full planning permission to demolish the agricultural building (former pig shed) adjacent to the agricultural building with permitted development rights for conversion to 3 dwellings, and replace it with 2 new four bedroom houses within the existing building envelope. It is also proposed to convert and extend the existing red brick and pantiled building to provide a two storey two bedroom house.
- 3.2 In total therefore this application seeks consent for 3 new houses in addition to the agricultural building to be converted to three dwellings under permitted development rights.
- 3.3 The materials for the proposed dwellings include:

- Red brick plinths
- Part red brick and part larch weatherboard walls
- Black weatherboard walls
- Red clay pantiles and natural slate roof coverings
- Windows and doors which are to be timber frame
- Black pantile roof covering

- 3.4 Each proposed dwelling has a double oak framed garage. A new access to the site is proposed from Hall Road which would run parallel to an existing bridleway running east-west immediately to the north of the application site. The proposed driveway would have a width of 5m.
- 3.5 The application is supported by a Design and Access Statement including a marketing report and contaminated land report; a Historic Assessment Report and a Preliminary Ecological Appraisal.

4 CONSULTATIONS/COMMENTS

- 4.1 Spexhall Parish Council : The Council does not object to this planning application. While the Council believes that it is good to have new housing in Spexhall on this site, the Council does suggest that construction traffic should only approach the site via Grub Lane and not via the Spexhall crossroads in order to avoid congestion.

Statutory Consultees

- 4.2 Suffolk County Council - Highways Department: No objection subject to conditions.
- 4.3 Suffolk County Council Archaeology: No objection subject to conditions.
- 4.5 Suffolk County Council Rights of Way: Bridleway 4 is recorded along the access of the proposed development area. Whilst we do not have any objections to this proposal - informative notes apply.
- 4.6 Suffolk Fire and Rescue Service: General comments on fire fighting facilities and water supply.
- 4.7 Essex and Suffolk Water: No objection.
- 4.8 Suffolk Wildlife Trust: Advise that they have read the ecological survey reports (Bats (Jul 2018), Great Crested Newts (Jun 2018), Reptiles (Jun 2018), all Abrehart Ecology) and note the conclusions of the consultant. The surveys identify that mitigation and protected species licences are required for bats and great crested newts and we request that, should permission be granted, a mitigation strategy and copies of the relevant Natural England licences are secured by condition. It is suggested that British Standard BS 42020:2013 (Biodiversity – Code of practice for planning and development) model conditions D.2.1 (Biodiversity method statements and D.6.2 (Submission of a copy of the EPS licence) could be used to secure this.

Non Statutory Consultees

4.9 Head of Environmental Services – No objection subject to conditions

Third Party Representations

4.10 None received

5 PUBLICITY:

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

Category	Published	Expiry	Publication
Public Right of Way, Curtilage of Listed Building	18.01.2019	08.02.2018	Beccles and Bungay Journal
Public Right of Way, Curtilage of Listed Building	18.01.2019	08.02.2018	Lowestoft Journal

6 SITE NOTICES

6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Public Right of Way; Curtilage of Listed Building.
Date posted 17.01.2019 Expiry date 07.02.2019

7 PLANNING POLICY

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

7.2 National Planning Policy Framework (NPPF) (2019)

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

- WLP1.1 – Scale and Location of Growth
- WLP1.2 – Settlement Boundaries
- WLP7.1 – Rural Settlement Hierarchy and Housing Growth
- WLP8.7 – Small Scale Residential Development in the Countryside
- WLP8.11 – Conversion of Rural Buildings to Residential Use
- WLP8.37 – Historic Environment

8 PLANNING CONSIDERATIONS

Planning History

- 8.1 This application is a revised submission following the refusal of an application for 4 dwellings at a Planning Committee meeting held on 14 August 2018 (DC/18/0051/FUL). The application was refused on the following grounds:

- The site lies in open countryside outside any defined physical limits boundary
- The proposal would have a negative impact on the setting of the adjacent listed building, Spexhall Hall
- Poor layout and relationship between dwellings and lack of amenity space.

Principle of Development and Development Plan Policies

- 8.2 The National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.
- 8.3 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 8.4 The economic role includes contributing to building a strong, responsive and competitive economy. The social role aims to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations and the environmental role aims to contribute to protecting and enhancing our natural, built and historic environment. The NPPF advises that these roles should not be undertaken in isolation, because they are mutually dependent.
- 8.5 Waveney Local Plan (March 2019) Policy WLP1.2 defines settlement boundaries. Land which is outside of settlement boundaries is considered as the Countryside and new residential development will not be permitted in the Countryside except where specific policies in the Local Plan indicate otherwise. The application site is located within the Countryside.
- 8.6 In order to sustainably deliver the housing growth targets set out in the Waveney Local Plan (2019). Policy WLP1.1 proposes that 56% of new residential development will take place within the Lowestoft Area and 34% in the four market towns (Beccles and Worlingham, Halesworth and Holton, Bungay and Southwold and Reydon). 10% of housing growth is expected to take place in the rural areas in accordance with Policy WLP7.1.
- 8.7 Policy WLP7.1 identifies a rural settlement hierarchy for housing growth in the rural areas. The overall objective of the rural strategy is to deliver development that reflects the character of a rural settlement and contributes towards sustainable development that will support their needs and enable them to grow and prosper in the long term. Within the

rural areas most new housing is identified through site allocations in both the Local Plan and in Neighbourhood Plans.

- 8.8 Policy WLP7.1 focusses housing growth in the larger villages where there is a relatively better provision of day to day services. These larger villages are generally able to accommodate larger amounts of development without unduly impacting upon the character of the village. Policy WLP7.1 also identifies some smaller villages in the rural area where land is allocated for residential development.
- 8.9 Spexhall is not within either a larger village or a smaller village as identified within the rural settlement hierarchy.
- 8.10 Policy WLP7.1 supports limited amounts of development elsewhere in other rural settlements that are not identified as either larger or smaller villages. In these locations growth is expected to be facilitated by Neighbourhood Plans and by Policies WLP8.6, WLP8.7, WLP8.8 and WLP8.11. Dealing with these in turn:
- 8.11 WLP8.6 – Affordable Housing in the Countryside. The proposal is not for affordable housing and therefore this Policy is not relevant to the consideration of this application. Even if it were it is considered that the proposal would not meet the criteria within the Policy.
- 8.12 WLP8.7 - Small Scale Residential Development in the Countryside. This is the Policy that is considered most relevant to this application. Policy WLP8.7 allows for small scale residential development in the countryside of up to three dwellings where:
- The site constitutes a clearly identifiable gap within a built up area of a settlement within the countryside;
 - There are existing residential properties on two sides of the site; and
 - The development does not extend further into the undeveloped Countryside than the existing extent of the built up area surrounding the site.
- 8.13 The application site currently consists of a redundant agricultural building adjacent to another agricultural building. There is one dwelling (the listed Spexhall Hall) to the south of the site and one other neighbouring property (The Old Port House) approximately 100m away to the north west beyond the existing bridleway. The application site cannot therefore be considered to constitute a 'clearly identifiable gap within a built up area of a settlement'. The application site is not therefore considered to be a settlement within the countryside. It is considered to be sporadic development within the countryside.
- 8.14 The existing buildings on the site contribute to a strong rural character to the site. The complex appears as a farm within the wider countryside setting, made up of the farmhouse and associated agricultural buildings. Agricultural buildings are characteristic of rural areas, however they do not constitute settlements. Similarly the two existing dwellings do not constitute a settlement. Whilst it is acknowledged that the agricultural building adjacent to the application site has permitted development rights to be converted to three dwellings the conversion has yet to be implemented. Even if it were this very limited amount of housing would not be considered to constitute a settlement. It is therefore considered that the proposed development does not comply with Policy WLP8.7.

- 8.15 WLP8.8 – Rural Workers Dwellings in the Countryside. The proposal is not seeking consent for rural workers dwellings and therefore is not applicable.
- 8.16 WLP8.11 – Conversion of Rural Buildings to Residential Use. One element of this application includes the conversion (and extension) of an existing building. Policy WLP8.11 sets down certain criteria for the conversion of redundant rural buildings in the countryside. In particular the conversion should secure or safeguard a heritage asset or the building should be locally distinctive and of architectural merit and the conversion requires only minimal alteration. It is not considered that the extensive works proposed to the building would comply with this policy.
- 8.17 It is considered that the settlement hierarchy set down in Policy WLP7.1 identifies a number of opportunities for new residential development in appropriate locations within the rural areas thereby allowing appropriate levels of development. The proposed development does not comply with Policy WLP1.2 or any of the exceptions set down in Policies WLP8.6, WLP8.7, WLP8.8 and WLP8.11 that might otherwise allow housing in the countryside. The proposal departs significantly from the recently adopted settlement hierarchy in the Local Plan and there is no justification for new residential development on the application site.
- 8.18 Accordingly therefore it is considered that the principle of residential development on this site is not acceptable.

Heritage Considerations

- 8.19 The application site is adjacent to the Grade II listed building of Spexhall Hall. There is intervisibility between the site and the agricultural building to be demolished and Spexhall Hall. However the agricultural building is not considered to be of much historic significance and the Council's Senior Design and Conservation Officer does not object to its demolition. It does however contribute to the strong agricultural character of the site and the complex appears as a farm within the wider countryside setting.
- 8.20 The proposal looks to replace the existing barn with two detached houses each with a double garage. These have been designed to appear as converted historic agricultural buildings/barns. However this approach is considered to seriously confuse the evolution of the site and the context of the adjacent listed building. It is accepted however that the proposed sheet roofing to the main roof of plot 2 and the use of vertical boarding to part of the single storey elements are more acceptable material wise.
- 8.21 In comparison to the previous scheme the proposed dwellings are pushed further north-east, past the extent of the existing building line making them more in view of the rear of the listed building and closer to the "moat". Therefore it is considered that this part of the proposal has a high negative impact on the setting of the historic building. This affects the significance of the Listed building by confusing the relationship of the Farmhouse to its historic farmstead.
- 8.22 The building to be extended and converted is not considered to be of high historic significance. However the proposed conversion is considered to have a negative impact on

the setting of the listed building caused by the residential character created by the flue, rooflights, fenestration and the creation of a domestic curtilage.

- 8.23 It is considered that the proposed dwellings change the setting of the adjacent listed Spexhall Hall considerably. The character is altered from that of a farmstead to a residential hamlet. The impact of all the associated domestic paraphernalia of cars, bins, washing lines, patio furniture etc and the erection of site divisions for numerous dwellings will also have a cumulative effect which will add further negative impact. Rather than the listed farmhouse sitting isolated in the countryside with its related farm building complex it will become part of a residential development with (including those with prior approval) six other dwellings.
- 8.24 The significance of which is close connection between the farmhouse and its associated farm buildings and rural quality it currently provides. This reflects the agricultural nature of the complex which has been the case since the farmhouse was built in the 1400's. However, the creation of a pseudo historic barn complex confuses the sites evolution and the context in which the listed building is experienced in.
- 8.25 The Senior Design and Conservation Officer is of the view that in NPPF terms the proposal will lead to "less than substantial harm" to the significance of the designated heritage asset of Spexhall Hall. However, there is still a high level of harm caused to the significance of the Listed Building by the change to its setting both immediate and the wider countryside setting. It is this harm which has to be weighed against the public benefit. The proposal is therefore considered to be contrary to Policy WLP8.37 which seeks to conserve or enhance Heritage Assets and their settings.

Design and Layout Considerations

- 8.26 Design is a material consideration in the determination of planning applications and improving design quality is a key theme of the NPPF. Local Plan Policy WLP8.29 requires development proposals to demonstrate high quality design which reflects local distinctiveness. Proposals should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 8.27 One of the reasons for refusing the previous scheme was on the grounds of a poor relationship between the dwellings leading to restricted outlook and amenity space. Whilst the reduction in the number of dwellings proposed from four to three improves the relationship between them they nevertheless remain in close proximity to one another. Each proposed dwelling has a reasonable amount of amenity space albeit in the form of an enclosed courtyard. On balance it is considered that the layout and relationship between the dwellings is acceptable.

Ecology

- 8.28 The application is supported by a Preliminary Ecological Appraisal which identifies that further surveys are required for protected species including bats, great crested newts and reptiles. These surveys have now been carried out and they identify that mitigation and protected species licences are required for bats and great crested newts. The surveys recorded no reptiles on the site. It can therefore be concluded that subject to the

proposed mitigation the proposal would not result in harm to protected species. This could be secured by condition as recommended by Suffolk Wildlife Trust were the application to be approved.

The Planning Balance

- 8.29 The provision of new housing in a rural location might be regarded as a benefit arising, however this proposal is not being promoted as one that would meet an identified housing need and even if it were it is not considered to meet the tests of a “rural housing exceptions site” as detailed in paragraph 8.12 above. The proposal is also considered contrary to all other policies that might otherwise allow housing in the countryside. It is acknowledged that there would also be some limited economic benefits during construction.
- 8.30 The NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent. The environmental role includes the protection and enhancement of the natural and historic environment. Given that the proposal is contrary to countryside policies and harms the setting of the listed building the proposal is not considered to constitute sustainable development.
- 8.31 It is considered that the public benefits of the proposed development are, at best, limited. In view of the harm caused by this development to the setting of the listed building together with harm due to the conflict with the development plan; it is not considered that this harm is outweighed by the benefits of the development.

Habitat Mitigation

- 8.32 The application site lies within the 13km 'zone of influence' for recreational disturbance affecting the Minsmere to Walberswick Heath & Marshes SAC and the Benacre to Easton Bavents Lagoons SAC/SPA. It is expected that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of these European Sites, due to the risk of increased recreational pressure caused by development.
- 8.33 The applicant has made the appropriate contribution towards the Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). As such it can be concluded that the impacts on European sites arising from the proposal can be satisfactorily mitigated.

9 CONCLUSION

- 9.1 The site lies in the open countryside outside any defined physical limits boundary where there is a presumption against new residential development in the interests of sustainable development. None of the exceptions that apply to this general policy of restraint are applicable to this proposal. The application is therefore contrary to policies WLP1.2, WLP7.1 and WLP8.7 and the NPPF.
- 9.2 The proposed conversion of the existing brick building entails significant alterations that would not comply with Policy WLP8.11 which states that conversions should require only minimal alterations. Furthermore the conversion would not safeguard a heritage asset.

- 9.3 The site falls within the setting of Spexhall Hall, a Grade II listed building. It is considered that the proposal would result in a high level of harm to the setting of the listed building contrary to Policy WLP8.37.
- 9.4 The benefits of the proposal are considered to be, at best, limited. The harm that would be caused to the character and appearance of the area and the setting of the listed building would significantly outweigh the limited benefits.
- 9.5 Accordingly, it is recommended that the application is refused.

10 RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The site lies in open countryside outside the physical limits defined by Policy WLP1.2 of the East Suffolk Council Waveney Local Plan (March 2019). The application site does not constitute a clearly identifiable gap within a built up area of a settlement in the countryside neither does it have existing residential properties on two sides. The proposal is therefore contrary to Policies WLP1.2, WLP8.7 (Small Scale Residential Development in the Countryside) and WLP7.1 (Rural Settlement Hierarchy).
2. The existing brick building is not a heritage asset nor is it locally distinctive and of architectural merit. The proposed conversion and extension constitutes more than minimal alteration to the building contrary to the provisions of Policy WLP8.11 (Conversion of Rural Buildings to Residential Use).
3. The site is within the setting of the Spexhall Hall a Grade II listed building. The proposed development would have a negative impact on the setting of the listed building contrary to Policy WLP8.37 and paragraphs 193 and 196 of the National Planning Policy Framework. The harm that would be caused to the character and appearance of the area and the setting of the listed building would significantly outweigh the limited benefits.

BACKGROUND INFORMATION: See application ref: DC/19/0061/FUL at www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

11 June 2019

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 28 May 2019. 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 bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

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

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 28 May 2019 be received.

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
2008/0193	17/09/2008	25 Kessingland Cottages, Rider Haggard Lane, Kessingland	Breach of Condition Unauthorised use of chalet as main or sole residence	<ul style="list-style-type: none"> • Breach of Condition Notice • Compliance expired following extension of time • Further consideration by Service Manager and Legal • See Enforcement Notice ref 2008/004 for further information – committee aware of personal circumstances of occupants • Officers, seniors and legal held meeting, 23/01/2019 to discuss the options available to move forward with the case. • Contact made with occupants on 6 February 2019 and legal advice been sought on progressing the case. • Further information being gathered from other bodies. 	ONGOING – under review.
EN08/0264 & ENF/2013/0191	15/01/2010	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 	01/04/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<ul style="list-style-type: none"> 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. Trial date set for 21/04/2017 Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. 21/11/2017 – Mobile home and steps removed from site. 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. 	

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<ul style="list-style-type: none"> • 06/07/2018 – Legal advice being sought. • 10/09/2018 – Site revisited to check for compliance with Notices. • 11/09/2018 – Case referred back to Legal Department for further action to be considered. • 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). • 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 – Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the 	

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<p>non-attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07.05.2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 07/09/2019. 	
EN/09/0305	18/07/2013	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> • Authorisation granted to serve Enforcement Notice. • 13/09/2013 -Enforcement Notice served. • 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months • 11/07/2014 - Final compliance date • 05/09/2014 - Planning application for change of use received • 21/07/2015 – Application to be reported to Planning Committee for determination • 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 • 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. • 09/08/2016 – Site re-visited, some caravans removed but 20 still in situ. Advice to be sought. • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 - Legal advice sought; letter sent to 	31.03.2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021.	
EN13/005	13/12/2013	High Grove Wood, Low Road, Great Glemham	Unauthorised siting of a caravan and installation of a portaloo	<ul style="list-style-type: none"> • 13/12/2013 – PCN served • 19/09/2014 – Enforcement Notice served - takes affect 24/10/2014 • 24/02/2015 - Compliance due date • 07/07/2015 – Case heard at Ipswich Magistrates Court and referred to Ipswich Crown Court as not guilty plea entered. • 16/07/2015 – Preliminary hearing at Crown Court, next appearance has been set for 18/09/2015. • 02/09/2015 – Enforcement Notice withdrawn on legal advice • 04/03/2016 – New PCN served. • 05/04/2016 – PCN re-served • 27/04/2016 – Completed PCN not returned. • Case is due to be heard at Ipswich Magistrates Court on 01/11/2016 for the offence of failing to return a Planning Contravention Notice. • Case has been adjourned until 06/12/2016 • Trial date set for 03/02/2017 • Trial has been discontinued for further Enforcement Notice to be served. • 27/06/2017 – Enforcement Notice served, 	01/05/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<p>Notice effective on 28/07/2017, compliance by 28/11/2017.</p> <ul style="list-style-type: none"> • 23/01/2018 – site visit undertaken • 08/05/2018 – Site visited on pre-arranged visit, access denied. Another visit arranged for 31/05/2018. • 21/06/2018 – Site visited. • 06/07/2018 – Legal advice being sought as to further action. • 11/09/2018 – Site revisited to check for compliance with Notices. • 12/09/2018 – Case referred back to Legal Department for further action to be considered • 01/11/2018 – Court Hearing at the High Court in relation to the 2017 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. • Injunction granted. Four months given for compliance with Enforcement Notice. • 07/03/2019 – Site visit undertaken to check on compliance with Injunction. • 01/04/2019- File has been passed back to Legal Department for further action. • 07/05/2019 – Case was heard at the High Court for failure to comply with the Enforcement Notice. Case has been adjourned for sentencing until the 26/07/2019 	

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2014/0104	16/08/2016	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) • 01/10/2018 - PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. 	31/03/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<ul style="list-style-type: none"> • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	
ENF/2016/0292	11/08/2016	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> • 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. • Enforcement Notice to be drafted • Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
ENF/2016/0425	21/12/2016	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> • EN served on 21/12/2016 • Notice becomes effective on 25/01/2017 • Start date has been received. Public Inquiry to be held on 08/11/2017 • Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018. • 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018). • Site visit to be conducted once compliance period has finished. • 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action. • Site visit due on 07/01/2019. • 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services 	06/04/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				<p>for further action.</p> <ul style="list-style-type: none"> • 26/02/2019 – Update to be given at Committee. • Awaiting update from Legal. • 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 07/09/2019 	
ENF/2017/0170	21/07/2017	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> • 16/11/2017 – Authorisation given to serve EN. • 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period • Appeal submitted. Awaiting Start date • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. 	31/05/2019
ENF/2016/0300	07/03/2018	Cowpasture Farm, Gulpher Road, Felixstowe	Use of Golf Driving Range for storage of caravans	<ul style="list-style-type: none"> • 07/03/2018 – EN served • Notice effective on the 09/04/2018 – 3 months for compliance • Conjoined appeal for planning application and enforcement notice received • Awaiting Start date • 11/12/2018 - Appeals have now been withdrawn, new compliance date agreed for caravans to be removed by 31st May 2019. 	31/05/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0035	26/04/2018	9 Hillcrest Knodishall	Untidy Site	<ul style="list-style-type: none"> 26/04/2018 – S215 Notice served 3 months for compliance from 28/05/2018 29/08/2018 – Further action passed to Public Sector Housing Team to take forward. 09/01/2019 – Site visited, some work has been done to comply with Notice, site to be monitored. 	31/03/2019
ENF/2017/0387	14/08/2018	64 Grange Road Felixstowe	Untidy Site	<ul style="list-style-type: none"> 14/08/2018 – S215 Notice served 3 months for compliance from 13/09/2018 12/11/18 - Site in the process of being cleared. 24/12/2018 - Site has been predominantly cleared. 26/02/2019 – Property has recently been sold, final works expected to be done imminently. 	01/04/2019
ENF/2015/0279/DEV	05/09/2018	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> Initial complaint logged by parish on 22/09/2015 Case was reopened following further information on the 08/12/2016/ Retrospective app received 01/03/2017. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. Notice sever by recorded delivery 05/09/2018. Appeal has been submitted. Awaiting Start date. 	06/04/2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0057/	15/11/2018	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> Enforcement Notices served on 10/12/2018 Notice effective on 24/01/2019 3 months given for compliance Appeal submitted awaiting Start Date. 	30/06/2019
ENF/2018/0276	23/11/2018	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> Breach of Condition Notice served Application received to Discharge Conditions Application pending decision 	31/03/2019
ENF/2018/0319/COND	19/12/2018	Windy Acres Mutfordwood Lane Mutford	Change of use of 'Day Room' to permanent residential accommodation.	<ul style="list-style-type: none"> Retrospective planning application submitted 26/10/2018 Planning application refused 29/11/2018 Enforcement Notice served to rectify breach relating to the change of use of 'day room to residential dwelling' on 19/12/2018. 	19/07/2019
ENF/2018/0330/LISTM	17/05/2019	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> Listed Building Enforcement Notice served on 17/05/2019. Notice takes effect on 20/06/2019. Three months for compliance 	20.09.2019
ENF/2017/0281/OTHER	21/05/2019	Dingle Dell, Leiston Road, Middleton	Unauthorised change of use of land for the stationing of two static caravans	<ul style="list-style-type: none"> Enforcement Notice served on 21/05/2019. Notice takes effect on 21/06/2019. Three months for compliance 	21.09.2019

LPA Reference	Date of Authorisation (Panel/Delegated)	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0543/ DEV	24/05/2019	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. 	28/09/2019