

Confirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 14 September 2021 at 2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

Other Members present:

Councillor David Beavan, Councillor Frank Mortimer, Councillor Trish Mortimer, Councillor Russ Rainger, Councillor David Ritchie

Officers present:

Joe Blackmore (Principal Planner), Mark Brands (Planning Officer), Sarah Davis (Democratic Services Officer), Matthew Gee (Planner), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Steve Milligan (Planner), Alli Stone (Democratic Services Officer), Ryan Taylor (Development Officer), Ben Woolnough (Planning Development Manager)

Announcements

The Chairman opened the meeting and announced that he was reordering the agenda, so that item 2 would be heard before item 1.

2 Apologies for Absence and Substitutions

Apologies were received from Councillor Elfrede Brambley-Crawshaw; Councillor David Beavan attended as her substitute.

1 Declarations of Interest

No declarations of interest were made.

3 Declarations of Lobbying and Responses to Lobbying

Councillor David Beavan declared that he had been lobbied on items 6, 7 and 8 of the agenda; he stated that in all instances he had been contacted by the applicants to discuss the applications.

Councillor Jenny Ceresa declared that she had been lobbied by email on item 6 of the agenda and had not responded.

Councillor Tony Cooper declared that he had been lobbied by email on item 9 of the agenda.

4a Minutes - May 2021

RESOLVED

That the minutes of the meeting held on 18 May 2021 be agreed as a correct record and signed by the Chairman.

4b Minutes - June 2021

RESOLVED

That the minutes of the meeting held on 8 June 2021 be agreed as a correct record and signed by the Chairman.

4c Minutes - July 2021

RESOLVED

That the minutes of the meeting held on 13 July 2021 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0853** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 31 August 2021. At that time there were nine such cases.

The Chairman invited questions to the officers.

In response to a question on Woods Meadow, Oulton Broad, the Planning Manager advised that this site was not listed in the report as there was no identified breach on site; the Planning Manager confirmed that he would seek information on the status of development at this site and respond to the Member outside of the meeting.

Another member of the Committee sought clarification on the enforcement action at Park Farm, Chapel Road, Bucklesham; The Assistant Enforcement Officer said she would ask the Senior Enforcement Officer to contact the Member outside of the meeting. The Planning Manager added that work was being undertaken to provide greater clarity in future enforcement reports.

The Assistant Enforcement Officer advised that an extension had been sought for compliance at North Denes Caravan Park, Lowestoft, which was granted until October 2021; this related to planting to meet the requirement to return the site to the appearance before development began.

On the proposition of Councillor Ceresa, seconded by Councillor Pitchers it was by a unanimous vote

RESOLVED

That the information concerning outstanding enforcement matters up to 31 August 2021 be noted.

6 DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon, IP18 6YD

The Committee received report **ES/0852** of the Head of Planning and Coastal Management, which related to planning application DC/19/1141/OUT.

The application sought outline planning permission for the development of up to 220 dwellings with associated open space. Details of access had been submitted for approval whilst appearance, landscaping, layout and scale are reserved matters for future determination.

The East Suffolk Council (Waveney) Local Plan (March 2019) (the WLP) Policy WLP6.1 allocates 9.8 hectares of land west of Copperwheat Avenue, Reydon for the residential development of approximately 220 dwellings. However, the application site extended farther west to 12 hectares in total but included the entirety of the allocated land and did not exceed the recommended number of dwellings.

Given the scale of the development proposal and the site area extending beyond the allocation, the application was brought direct to the Committee for determination in March 2020, where the Committee resolved to delegate authority to approve the application to the Head of Planning and Coastal Management, subject to conditions.

Since that time, the Reydon Neighbourhood Plan (the RNP) had been formally made following referendum in May 2021. The RNP had become an adopted planning policy document, and this represented a material change in the Development Plan, relevant to the application site, compared to the Development Plan at the time of the resolution to delegate authority to approve the application to the Head of Planning and Coastal Management (where the RNP was at a relatively early stage of the plan-making process and a material consideration of only limited weight).

This required that the application be brought back to Committee for consideration. The National Planning Policy Framework (NPPF) was also updated July 2021, which also represented a notable change to a key material consideration.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

The Principal Planner highlighted that the proposals remained unchanged from the application determined by the Committee in March 2020; the key change was the making of the RNP and that full weight now had to be given to it when determining the application.

The Committee's attention was drawn to the principal residence clause in the RNP, which sought to promote development in Reydon that would protect the community in a sensitive

location. The RNP was described as a rounded policy document that supported the WLP and the Principal Planner highlighted that second home ownership was a significant issue in the area; the principal residence clause had been designed to ensure homes could be provided for local people.

The Principal Planner confirmed that a Section 106 agreement, to secure the necessary obligations as set out in section nine of the report, was in place and could be completed within the week should the application be approved.

The site's location was outlined, and it was highlighted that the site was allocated for development in the WLP. An aerial image of the site was displayed to provide context of the site in relation to the surrounding area. The Principal Planner noted that the site was well linked to local facilities.

Another map of the site was displayed that showed the site's relationship with two public rights of way. The main access to the site via Copperwheat Avenue and access via the Crescents was demonstrated.

Photographs of the site were displayed showing the proposed access from Copperwheat Avenue, proposed access from the Crescents and various views into the site.

The access and movement proposals for the site were displayed, which set out the parameters for site access for motor vehicles, cyclists and pedestrians. The Principal Planner highlighted where existing public rights of way would connect to the site at the south and west of the site. The map also displayed the areas within the site that would be developed and those areas that would remain undeveloped. The Principal Planner noted an existing play area to the north of the site that would be connected to the development.

Photographs of the proposed access to the site from Copperwheat Avenue and the Crescents were displayed and the Committee was supplied with the details of the vehicle access and off-site highways works associated with the application.

The Principal Planner advised the Committee of the landscape and visual impact assessment that had been undertaken by the applicant and noted how it had influenced the layout to minimise the impact on the Area of Outstanding Natural Beauty (AONB).

The development parameter map was displayed and the Principal Planner highlighted that a future Approval of Reserved Matters application would be required to confirm the exact details of the site layout. The Committee was advised that the parameter plan indicated the areas of the site to be developed, the access, the proposed drainage basin and the green space on the site.

The Principal Planner stated that the design access statement would need to be linked to any Approval of Reserved Matters application as it outlined key areas for future development; the Principal Planner considered that the design access statement ensured a high quality design at the reserved matters stage.

An indicative layout drawing was shown to the Committee; the Principal Planner was of the view that the layout proposed was positive and gave a good provision of green space.

The Committee was advised that it had taken longer than normal to finalise the Section 106 Agreement in order to secure plots on the site for the relocation of those losing their homes to coastal erosion at Easton Bavents, in order to meet the requirements of WLP6.1. This had been achieved and the relocation plots would be transferred to the Council at a cost of £1 in order to then be transferred to residents who wished to relocate as a result of coastal erosion.

The material planning considerations were summarised as:

- Principle of development;
- The 'made' Reydon Neighbourhood Plan;
- Access and connectivity;
- Landscape and visual impact;
- The design of the development;
- Residential amenity;
- Heritage considerations;
- Ecology and European sites;
- Affordable housing;
- Self build and coastal relocation opportunity;
- The public benefits of the development proposal; and
- The principal residence restriction (condition).

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Principal Planner confirmed that Suffolk County Council, as the Highways Authority, was now content with the proposals and had withdrawn its holding objection.

The Committee was advised that in the first instance, the relocation plots would be offered to residents of Easton Bavents at risk of losing their homes to coastal erosion; the Principal Planner advised that if there was no interest from those residents, the relocation plots would be offered to residents at risk of losing their homes to coastal erosion from further afield.

If, after five years, these relocation plots were not taken up they could be sold for affordable housing development or the Council could choose to build its own affordable housing on the plots. The Principal Planner stressed that if the plots are not taken up for relocation, the Section 106 Agreement specified that the plots must be used for affordable housing and not open market housing.

The Chairman invited Councillor Roger Cracknell, representing Reydon Parish Council, to address the Committee.

Councillor Cracknell said that Reydon Parish Council (the Parish Council) strongly supported the application of policy RNP4 of the RNP, the principal residence restriction, to this application, as proposed by condition 37 of the recommendation. Councillor Cracknell considered that this would ensure that Reydon's community remained sustainable and would make community housing available to residents, and said that the Parish Council would work with the Council to monitor and enforce this restriction.

Councillor Cracknell said that the Parish Council was pleased that RNP4 had been taken into account in the Principal Planner's report and also referred to policy RNP1 of the RNP, which related to tenure mix. Councillor Cracknell noted that the table of affordable housing in the report suggested that this policy would be complied with and considered this to be another vital strategy to maintain community access to housing. Councillor Cracknell asked the Committee to ensure that this tenure mix was achieved via the Section 106 Agreement when it was submitted for approval.

Councillor Cracknell referred to several other policies in the RNP and acknowledged that some of these key details would be determined at the reserved matters stage, but urged the Committee to record its view on these matters at this time. Councillor Cracknell noted that the application site exceeded what had been allocated for development by WLP6.1 and encroached into the AONB, and acknowledged that this would allow for a landscaping scheme that would both enhance the development and create an environmentally and ecologically interface with the surrounding countryside; the Parish Council was therefore content with the proposed size of the development.

Councillor Cracknell asked the Committee to approve the application with the conditions recommended in the report.

There being no questions to Councillor Cracknell the Chairman invited Mr Paul Clarke, agent for the applicant, to address the Committee.

Mr Clarke highlighted the history of the planning application, including the allocation of the site in the WLP; the application before the Committee was submitted in March 2019 following the adoption of WLP by the former Waveney District Council.

Mr Clarke acknowledged the sensitive nature of the site and assured the Committee that the applicant had worked to the requirements of WLP6.1 when developing the proposals. Mr Clarke stated that half of the built form of the site would be either affordable homes, self-build plots or plots for the relocation of residents at risk of losing their homes to coastal erosion. Mr Clarke added that substantial areas of green infrastructure would be created by the development and that it would generate CIL for the community to use.

Mr Clarke considered that the development needed to be progressed after a significant delay and reiterated that his clients had adhered to the WLP and RNP to create a policy compliant proposal.

The Chairman invited questions to Mr Clarke.

In response to a question on the enforcement of the principal residence restriction condition, the Principal Planner noted that this was something new to the planning system and highlighted St Ives, Cornwall, as an example of its implementation. The Principal Planner said that the condition would allow the Council to obtain evidence from occupants that a dwelling was a principal residence, but could not promise that enforcement action would be taken in the event of the clause being breached. Mr Clarke added that his client did not see second homes being an issue on the site as it was designed as a large estate.

Mr Clarke advised that the applicant did not have a timescale for selling the development and suggested that based on market testing, it was likely to be a housing association that would

take the development on. Mr Clarke confirmed that the applicant did not have a timescale for making an Approval of Reserved Matters application.

The Chairman invited further questions to the officers.

The Principal Planner advised that the condition for 40% affordable dwellings was worded as such to ensure that this ratio is met regardless of the final total of dwellings on the site, in order to be policy compliant.

The Chairman invited the Committee to debate the application that was before it.

Councillor Beavan considered that it would have been a bad idea to build houses in the AONB that would not be lived in and considered it positive that the principal residence restriction was being applied to this development. Councillor Beavan was of the view that this development could now move forward to the benefit of local people, as housing was sorely needed.

Councillor Beavan expressed some concern about potential flooding that could be caused on Wangford Road, as this was presently the only route in and out of Reydon that did not flood, along with some concerns about the effect of construction on local residents. Councillor Beavan considered that the sewage works proposed by Anglian Water were not practical and that the wider system needed to be considered. Councillor Beavan concluded his remarks and called for a new planning use class for converting homes to holiday lets, to provide greater control, and said that he supported the application.

Councillor Pitchers considered that all parties now appeared to be in agreement on the development and said he was in support of the application. Councillor Pitchers noted the difficulties that could be faced in enforcing the principal residence restriction.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Pitchers, seconded by Councillor Beavan it was by a unanimous vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management, subject to both the conditions below and the completion of a S106 Legal Agreement to secure the following obligations:

- Provision of 40% of the dwellings as affordable homes;
- Provision of seven plots as part of relocation offer for properties lost/at risk to coastal erosion;
- 5% of the residential development as self-build plots;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long-term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;

- Travel Plan financial contribution; and
- Financial contribution to fund road safety engineering schemes at local accident cluster sites.

Conditions:

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of each phase (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced on that phase. Development shall be carried out as approved.

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

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

3. Prior to the submission of the first reserved matters application(s) a site wide Phasing Plan shall be submitted to the local Planning Authority for approval. No development shall commence until such time as the site wide Phasing Plan has been approved in writing by the Local Planning Authority.

The site wide Phasing Plan shall include the sequence of providing the following elements:

- a. All vehicular and pedestrian accesses; the primary estate roads; segregated footpaths and cycle ways; any temporary footpaths and access connections during the construction period; the on-site circular walking route of 1.4km; and the timings of such provision, with recognition of other conditions triggering access completion.
- b. Residential development parcels, including numbers; housing type and tenure; location of self-build plots; and location of the 7no. plots to be set aside for properties lost to coastal erosion.
- c. Surface water drainage features, SUDS and associated soft landscaping.
- e. Accessible natural green space, structural landscape planting on the western edge of the site, and Local Equipped Play Area (LEAP).
- f. Improvement works to the southern public footpath.
- g. Ecological mitigation and enhancement measures.

The site wide Phasing Plan shall be implemented as approved.

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

4. Means of vehicular access into the site are hereby approved and shall be carried out in accordance with drawing number 1509 03/001 Rev B, received 12 June 2019; and the Movement and Access Parameter Plan (drawing number 18 050 02), received 27 November 2019.

Reason: To ensure that the site is served by safe and suitable vehicular accesses in the interests of highway safety and in accordance with the site allocation objectives of policy WLP6.1 of the Local Plan.

5. The submission of reserved matters applications pursuant to this outline application shall together provide for up to 220 dwellings and demonstrate substantial compliance with the Movement and Access Parameter Plan (drawing number 18 050 02); Land Use and Green Infrastructure Parameter Plan (drawing number 18 050 04); and Massing & Scale Parameter Plan (drawing number 18 050 03), all received 27 November 2019.

Reason: The site is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty and therefore in order to secure high-quality design and properly mitigate landscape and visual impact, it is essential to establish development parameters to guide future reserved matters application, in accordance with the design and landscape objectives of Local Plan policies WLP8.29 (Design) and WLP8.35 (Landscape Character).

6. All reserved matters applications shall incorporate the relevant elements of the 'Shaping the Character' principles of section 5.4 of the Design Access Statement, demonstrating broad compliance with the design intent reflected on pages 48-49 (Farmland heritage); pages 50-51 (Rural settlement); and pages 52-53 (Village edge) of the Design and Access Statement. Each reserved matters application shall be accompanied by a statement demonstrating this.

Reason: To ensure that the master planning principles of this permission inform detailed designs and in the interests of delivering a distinctive, attractive and sustainable development with high quality design appropriate for the AONB.

7. As part of the reserved matters application(s) for layout and landscaping, plans and particulars of the pedestrian access points on the southern, western and northern site boundaries (if relevant to the relevant phase), as shown on the Movement and Access Parameter Plan (drawing no. 18 050 02), shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the following:

- (a) the precise location of the pedestrian access points;
- (b) the route of the pedestrian accesses and their integration into the development layout;
- (c) details of any engineering works required to create the accesses; and
- (d) the ground surface treatment of the accesses and any associated landscaping.

Development shall be carried out in accordance with the approved details and the pedestrian access points shall be completed and made available for use in accordance with the triggers approved in the site wide phasing plan under condition 3.

Reason: to ensure that the final development layout incorporates pedestrian connections to the existing public right of way network and residential environment in the interest of creating an integrated and sustainable development.

8. No dwelling shall be occupied until the opening has been formed on the northern site boundary to facilitate the delivery of the pedestrian connection into the existing play area at Barn Close. The completion of the pedestrian access point shall be in accordance with the details approved under condition 7 and the site wide phasing plan approved under condition 3.

Reason: connectivity between the site and the existing play area is a critical element of the proposals, as required by site allocation policy WLP6.1. In order to ensure the delivery of this pedestrian connection the opening must be formed at an early stage of the development.

9. No part of the development shall be commenced until full details of the proposed access and tie-in works shown on Drawing No. 1509 03/001 Rev B have been submitted to and approved in writing by the Local Planning Authority.

The approved access from Copperwheat Avenue shall be laid out and constructed in its entirety prior to occupation of the first dwelling. Both approved accesses (from Copperwheat Avenue, and The Crescents) shall be laid out and constructed in their entirety prior to occupation of the 101st dwelling.

Thereafter the accesses shall be retained in the approved form.

Reason: To ensure that the accesses are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety. The condition is necessary in acknowledgment of the requirement for detailed, technical matters to be agreed through S278 Agreement with the Highways Authority.

10. No part of the development shall be commenced until full details of the proposed pedestrian crossing and other off-site highway improvements (including footway widening, crossing points and traffic calming) shown on Drawing No. 1509 03/001 Rev B, have been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be laid out and constructed in its entirety prior to occupation of the first dwelling.

Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety. The condition is necessary in acknowledgment of the requirement for detailed, technical matters to be agreed through S278 Agreement with the Highways Authority.

11. No part of the development shall be commenced until details of improvements (including widening of the useable width and surfacing) to Footpath 2 – to the south of the site, and also the section between the site and Wangford Road to the northeast - have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety in accordance with the trigger point identified in the approved phasing plan under condition 3.

Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel and recreational benefit.

12. Prior to occupation of the 101st dwelling, Footpath 2 (within the southern section of the site, and also the section between the site and Wangford Road to the northeast) shall be converted to a public bridleway.

Reason: To ensure that the necessary legal requirements to enable sustainable travel are made available for use at an appropriate time of the development in the interests of sustainable travel and recreational benefit.

13. As part of each reserved matters application for layout, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

14. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

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

15. As part of each reserved matters application for layout, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles 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 unless otherwise approved by the Local Planning Authority.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

16. As part of each reserved matters applications for layout, a plan indicating the positions and design of secure covered and open cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided prior to occupation of each respective residential unit. The development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development to ensure that residential occupiers of the site have the ability to own, use and securely store cycles as a means of transport.

17. No development shall take place within a phase until the implementation of a programme of archaeological work has been secured for that phase, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with policy WLP8.40 of the Local Plan.

18. No building shall be occupied on a phase until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority for that phase, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 17 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with policy WLP8.40 of the Local Plan.

19. Concurrent with the first reserved matters application(s) for a phase a surface water drainage scheme for that phase shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall event including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

1. Temporary drainage systems

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

3. Measures for managing any on or offsite flood risk associated with construction h. Details of the maintenance, management and adoption of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

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

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

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

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

The intrusive investigation(s) shall include:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:

human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

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

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

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

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

23. Prior to any occupation or use of the approved development on a phase the RMS approved under condition 22 must be completed in its entirety for that phase. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and

- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

25. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) on a phase shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority for that phase. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination are minimised, in the event that unexpected contamination is found.

26. No development shall take place, including any works of demolition on a phase, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority for that phase. The Statement shall provide for:

- o the parking of vehicles of site operatives and visitors;
 - o loading and unloading of plant and materials;
 - o storage of plant and materials used in constructing the development;
 - o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - o wheel washing facilities;
 - o measures to control the emission of dust and dirt during construction;
 - o a scheme for recycling/disposing of waste resulting from demolition and construction works;
- and
- o delivery, demolition and construction working hours.

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

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

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

Reason: In accordance with the minerals safeguarding objectives of Local Plan Policy WLP6.1 and Paragraph 204 of the NPPF.

28. As part of each reserved matters application for landscaping, a plan indicating the positions, design, height, materials and type of boundary treatment to be erected shall be submitted to and agreed by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the building to which it relates is occupied.

Reason: In the interests of amenity and the appearance of the development and locality.

29. As part of each reserved matters application for layout and landscaping, details shall be submitted to include:

- (a) a plan showing the location of, and allocating a reference number to, each existing tree on, or adjacent to, the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, details of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- (c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];
- (e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

The details provided shall be in accordance with the standards set out in 'BS5837:2012 - Trees in Relation to Design, Demolition and Construction' (or the relevant professional standards should the guidance be updated/modified/superseded).

Reason: to ensure that the detailed design retains important trees on the edges of the development site and incorporates existing and new planting into the development layout.

30. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings within that reserved matters area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

31. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority for approval demonstrating how 40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

32. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority through the submission of a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: in accordance with the sustainable construction objectives of policy WLP8.28 of the East Suffolk (Waveney) Local Plan.

33. As part of each layout reserved matters application, details of external lighting to be installed on the site, including the design and specification of the lighting unit, any supporting structure and the extent of the area to be illuminated and how the impact on ecology has been considered shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed in public areas without the prior approval of the Local Planning Authority.

Reason: To protect biodiversity and the visual amenity of the surrounding area.

34. The mitigation and enhancement measures outlined on pages 16 to 18 of the Ecology Assessment report (Hopkins Ecology, February 2019) shall be implemented in full unless otherwise approved in writing by the Local Planning Authority.

Reason: in accordance with the biodiversity and geodiversity objectives of policy WLP8.34 of the East Suffolk (Waveney) Local Plan 2019.

35. As part of each reserved matters application(s) for landscaping, layout, appearance and scale, the following ecological plans shall be submitted to the Local Planning Authority for approval:

- o a Construction Environment Management Plan (CEMP) detailing construction mitigation measures; and
- o an Ecology Management Plan (EMP) detailing operational mitigation, management and enhancement measures as part of the final detailed design.

Development shall be carried out in accordance with the approved details unless otherwise approved in writing.

Reason: to mitigate construction impacts and ensure long term biodiversity enhancements in accordance with the objectives of policy WLP8.34 of the East Suffolk (Waveney) Local Plan 2019.

36. No development shall take place in each layout reserved matters area until a scheme for the installation of fire hydrants throughout that part of the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings within each part of the development to which they relate, and the phasing of occupation and hydrant installation of that reserved matters area shall be set out in the submission.

Reason: In the interests of fire safety.

37. The dwellings (including any flats and apartments) hereby permitted shall not be occupied otherwise than by a person as their only or Principal Residence. For the avoidance of doubt, the dwelling shall not be occupied as a second home or holiday letting accommodation. The Occupant of each dwelling will supply to the Local Planning Authority (within 28 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with.

Reason: in accordance with the requirements of Reydon Neighbourhood Plan Policy RNP4.

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk.

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>.

3. Informative from Suffolk County Council Archaeological Service:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site, before approval of layout and drainage under reserved matters, and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. We would strongly advise that evaluation is undertaken at the earliest opportunity.

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

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

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

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

7 DC/20/2917/FUL - Easton Farm (Main Barn), Easton Lane, Easton Bavants, Southwold, IP18 6ST

The Committee received report **ES/0872** of the Head of Planning and Coastal Management, which related to planning application DC/20/2917/FUL.

The application sought permission for the conversion of a barn into two dwellings, along with associated works, at Easton Farm, Easton Bavants.

The proposed development was considered to be acceptable in accordance with the Development Plan as a whole, and the National Planning Policy Framework (NPPF), whereby permission could be granted, as the scheme would re-use and preserve a heritage asset in a manner both consistent with its conservation and also its sensitive Area of Outstanding Natural Beauty (AONB) location.

Officers had recommended approval, but without a principal residence restriction (by condition) being applied to any permission granted. This was due to the unique nature of the scheme, and such a condition was not considered appropriate in this instance for reasons set out in the report.

Granting permission without such a condition would be contrary to comments from Reydon Parish Council, who recommended approval, but drew particular attention to the Principal Residence Requirement of Policy RNP4. For that reason, the application was considered by the Planning Referral Panel who referred the application to the Committee for determination.

The Committee received a presentation from the Principal Planner, who was the case officer for the application. The Committee was advised that the presentation was also in respect of application DC/20/3183/FUL, which was for the residential conversion of The Main Barn to the east, and was to be heard by the Committee at item 8 of the agenda.

The locations of both application sites were outlined; the sites were accessed via the track to the existing farmhouse from Easton Lane.

The Committee was shown photographs of the site demonstrating views in and out of the site and identifying the buildings for conversion.

The site layout plans, proposed elevations and floor plans for both applications were displayed, along with the proposed access and parking.

It was noted that the West Barns were Non-Designated Heritage Assets and the conversion would provide a good scheme of conservation by converting the buildings into two dwellings. The link between the applications was highlighted.

The material planning considerations and key issues were summarised as:

- The principle of development;
- Heritage considerations (the Non-Designated Heritage Assets);
- Design and Landscape/Visual Impact;
- Residential amenity - restriction on use of Poultry Houses;
- Highways safety;
- Ecology - RAMS contributions; and
- Principal residence restriction (policy RNP4 of the Reydon Neighbourhood Plan).

The Principal Planner noted that due to the unique circumstances of the proposal, the conversion of a heritage asset in accordance with WLP8.11 along with the fact the applicant had lost land and properties to coastal erosion and the conversions would help their ongoing work to adapt to the significant erosion at Easton Bavents, officers did not consider a principal residence restriction to be appropriate.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

There being no questions to the officers, the Chairman advised that the Committee would now hear public speaking relating to DC/20/2917/FUL before debating and determining the application, and then hear public speaking and debate DC/20/3183/FUL.

The Chairman invited Ms Anne Jones, the applicant, to address the Committee.

Ms Jones was representing her family's company, Easton Bavents Ltd. Ms Jones explained that her great-grandfather had bought the land in 1925 and since then 120 acres and five properties had been lost to coastal erosion. Ms Jones explained that this had reduced the value of the land and her family had not been compensated and had received little assistance, and could not insure against their losses.

Ms Jones said that Easton Bavents Ltd found itself with a small and dwindling acreage that was no longer viable as a farm and was looking to diversify. Some buildings on the land had already been converted to holiday accommodation and the current proposals were the result of a meeting with Planning and Coastal Management officers in 2018.

Ms Jones said that it had taken some time to develop the proposals and she had been dismayed by the principal residence restriction required by RNP4, of which she had not been previously aware. Ms Jones acknowledged that the site was part of the parish of Reydon but was a very different area due to the constant threat of coastal erosion. Ms Jones said that she had been advised that the development would be viable without the principal residence restriction and only marginally viable with such a restriction.

The Chairman invited questions to Ms Jones.

Ms Jones said that it had not been fully decided what the accommodation would be used for at this time and that residential status was needed to raise the necessary funds. Ms Jones was not able to advise what the poultry sheds would be used for in the future.

The Chairman invited the Committee to debate the application that was before it.

Councillor Beavan acknowledged that he had originally objected to the application on viability grounds when he had been contacted by the applicant. Councillor Beavan was concerned that exemptions from RNP4 on viability grounds would set a precedent and undermine the RNP, but was content that in this instance it was appropriate to exempt the development from RNP4 and that this would not set a precedent for future applications.

Several other members of the Committee agreed with Councillor Beavan's comments, noting the unique situation caused by coastal erosion at Easton Bavents.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Gee, seconded by Councillor Brooks it was by a unanimous vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the conditions below, the completion of a S106 Legal Agreement to secure RAMS contribution and the restriction of the poultry houses to prevent the keeping of livestock.

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/drawings (received 04 August 2020):

Proposed Plan 05 rev A;
Proposed Site Plan 06 rev B;
Proposed Elevations 07 rev B; and
Proposed Roof Block Plan 08 rev B,

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

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

3. No development shall commence until details of the materials to be used in the external surfaces of the approved development have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall, as a minimum, include the following:

roof tiles/covering; cladding and brickwork (including type, bond etc); windows and doors; rainwater goods; and external flues.

Development shall be carried out in accordance with the approved details unless otherwise approved by the LPA.

Reason: to secure an appropriate finish to the development, in the interest of good design in accordance with Policy WLP8.29.

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, September 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected

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

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

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

Reason: To ensure that impacts on ecological receptors and the surrounding landscape from external lighting are prevented.

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

8. The use shall not commence until the area(s) within the site shown on Drawing No. 06 Rev. B for the purposes of 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.

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

a) A desk study and site reconnaissance, including:

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

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

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

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

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

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

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

- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

11. Prior to any occupation or use of the approved development the RMS approved under condition [10] must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

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

Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Hard landscape details shall include: means of enclosure; car parking layouts; hard surfacing materials; minor artefacts and structures; and any other relevant details as requested by the LPA.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); and schedules of plants, noting species, plant sizes and proposed number/densities where appropriate.

Reason: To ensure a high quality site landscaping strategy appropriate for the AONB location.

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

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

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National

Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. The applicant is advised that this planning permission allows the development of conversion to a C3 (Dwellinghouses) use. Given the size and scale of the permitted dwellings, their use for short-term holiday letting accommodation could amount to a material change of use requiring further planning permission from the Local Planning Authority.

8 DC/20/3183/FUL - Easton Farm (Main Barn), Easton Lane, Easton Bavents, Southwold, IP18 6ST

The Committee received report **ES/0873** of the Head of Planning and Coastal Management, which related to planning application DC/20/3183/FUL.

The application sought planning permission for the conversion of a barn into a single dwelling along with associated works, at Easton Farm, Easton Bavents.

The proposed development was considered to be acceptable in accordance with the Development Plan as a whole, and the National Planning Policy Framework (the NPPF), whereby permission can be granted, as the scheme would re-use and preserve a heritage asset in a manner both consistent with its conservation and also its sensitive AONB location.

Officers had recommended approval, but without a principal residence restriction (by condition) being applied to any permission granted. This was due to the unique nature of the scheme, and such a condition was not considered appropriate in this instance for reasons set out in the report.

Granting permission without such a condition would be contrary to comments from Reydon Parish Council, who recommended approval, but drew particular attention to the Principal Residence Requirement of Policy RNP4. For that reason, the application was considered by the Planning Referral Panel who referred the application to the Committee for determination.

The Committee had received a presentation from the Principal Planner, who was the case officer for the application, at item 7 of the agenda which had been in respect of both this application and application DC/20/2197/FUL, which was for the residential conversion of the West Barns. The details of this presentation are recorded at item 7 of these Minutes.

The Chairman invited Ms Anne Jones, the applicant, to address the Committee. Ms Jones advised that she had nothing further to add to her statement on the previous application.

The Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Gee, seconded by Councillor Brooks it was by a unanimous vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the conditions below, the completion of a Section 106 Legal Agreement to secure RAMS contribution and the restriction of the poultry houses to prevent the keeping of livestock.

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/drawings (received 19 August 2020):

Proposed Plans 05 rev B;
Proposed Site Plan 06 rev B;
Proposed Elevations 07 rev B; and
Proposed Roof Block Plan 08 rev B,

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

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

3. No development shall commence until details of the materials to be used in the external surfaces of the approved development have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall, as a minimum, include the following:

roof tiles/covering; cladding and brickwork (including type, bond etc); windows and doors; rainwater goods; and external flues.

Development shall be carried out in accordance with the approved details unless otherwise approved by the LPA.

Reason: to secure an appropriate finish to the development, in the interest of good design in accordance with Policy WLP8.29.

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, September 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected

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

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

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

Reason: To ensure that impacts on ecological receptors and the surrounding landscape from external lighting are prevented.

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

8. The use shall not commence until the area(s) within the site shown on Drawing No. 08 Rev. B for the purposes of 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.

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

a) A desk study and site reconnaissance, including:

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

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

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

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

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

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

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

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

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

11. Prior to any occupation or use of the approved development the RMS approved under condition [10] must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

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

Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

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

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

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Hard landscape details shall include: means of enclosure; car parking layouts; hard surfacing materials; minor artefacts and structures; and any other relevant details as requested by the LPA.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); and schedules of plants, noting species, plant sizes and proposed number/densities where appropriate.

Reason: To ensure a high quality site landscaping strategy appropriate for the AONB location.

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

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

Informatives:

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

2. The applicant is advised that this planning permission allows the development of conversion to a C3 (Dwellinghouses) use. Given the size and scale of the permitted dwellings, their use for short-term holiday letting accommodation could amount to a material change of use requiring further planning permission from the Local Planning Authority.

9 DC/21/1166/FUL - Land off South Close, Leiston

The Committee received report **ES/0874** of the Head of Planning and Coastal Management, which related to planning application DC/21/1166/FUL.

The application sought full planning permission for the development of 10 dwellings and associated infrastructure on land off South Close, Leiston. The application had been referred directly to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, as set out in the East Suffolk Council Constitution, as the development was a departure from the Development Plan.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial view of the site. The Planner noted the current use of the site for informal parking, on a hardstanding area, by local residents.

The Committee was shown photographs of the site and the surrounding area. The Planner highlighted that the applicant had revised the proposals to use existing access arrangements to the site and as a result, there was no longer a requirement to remove any trees to create a new access to the site. The Committee was advised that the garages currently on the site had not been in use since 2011.

The site layout plan was displayed and the Planner outlined the proposed tenure mix of dwellings. The protrusion of plots 1 and 2 towards South Close was highlighted; the Planner said that it was considered there would be a negligible impact on the loss of light to neighbouring properties.

The Committee was advised that there would be 14 parking spaces for residents and a further eight spaces for visitors. The Planner highlighted the distribution of the visitor spaces across the site. It was proposed that the access roadway would not be adopted and retained by the applicant. The Planner outlined concerns raised by Suffolk County Council, as the Highways Authority, about the visibility of the originally proposed access; the Highways Authority had withdrawn its objection following the revision of the development to use the existing access and recommended a slight reclarification of the work in the vicinity of Quakers Way.

The Planner detailed the proposed house types for the different plots, outlining the mix of materials to be used. The Planner considered that, overall, the scheme would provide an attractive and well connected development; the site was 400 metres from Leiston town centre and was well related to local amenities, including a school.

The Committee was advised that the proposals were contrary to policy TM4 of the Leiston Neighbourhood Plan, which required any redevelopment of communal parking garages to provide equivalent parking. The Planner highlighted that a parking survey had been completed

which showed a low usage of the site, which was outlined in the photographs of the site provided earlier in the presentation. The provision of eight visitor parking spaces was considered an overprovision of the Highways Authority's requirement and therefore sufficient to compensate the level of parking provision currently on the site.

The material planning considerations and key issues were summarised as:

- The loss of the garage court and the acceptability of the level of parking provision (appropriate departure to Neighbourhood Plan); and
- The impact upon residential amenity.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Planner highlighted that a fully accessible bungalow would be built on plot 7 and highlighted its design.

The Chairman invited Ms Nicola Baggott, who objected to the application, to address the Committee.

Ms Baggott noted that she lived on South Close; she said she was not against the development of the site but objected to the proposals as they amounted to overdevelopment and would have a negative impact on the area through loss of light, outlook and parking.

Ms Baggott considered that plots 1 and 2 would be near to her home's living area and not a garage, as stated by the applicant. Ms Baggott said that the dwellings on these plots would be close to her living room and would impact on its main sources of light, resulting in overshadowing; this overshadowing would also be extended to her home's patio. Ms Baggott was of the view that both plots would overlook her garden and that plot 1 would also overlook her patio. Ms Baggott questioned if a noise assessment had been completed properly.

Ms Baggott considered the loss of 48 garages had already had an impact on the area and stated that the roads in the area were used to access both the local school and leisure centre and would exacerbate existing parking issues in the area. Ms Baggott said that the report did not accurately reflect parking levels in the area and highlighted that a planned one-way system in the area would increase traffic.

Ms Baggott asked the Committee to refuse the application on the grounds that it amounted to overdevelopment and would have a negative impact on the area through loss of light, outlook and parking.

There being no questions to Ms Baggott the Chairman invited Mr David Jones, agent for the applicant, to address the Committee. Mr Jones was accompanied by Ms Lisa Davis of Flagship Homes, the applicant, who was present to answer any questions the Committee had.

Mr Jones advised that Flagship Homes would be building homes for social rent and this would be secured via a Section 106 Agreement. Mr Jones considered that the development would

meet the identified housing need in Leiston and would provide accessible bungalows. It was confirmed that both adaptable and accessible housing would be built on the site.

Mr Jones confirmed that all dwellings would have air source heat pumps; a noise assessment had been completed which had concluded the noise generated by the development would be acceptable to residential amenity. Mr Jones noted that electric vehicle charging points would be provided.

Mr Jones considered the location to be sustainable and was within walking distance of the town centre. Mr Jones said that the development would improve residential amenity by removing a dilapidated area that was no longer in use. Mr Jones agreed with the assessment that the eight visitor spaces was an overprovision of parking and confirmed that these spaces would be available to visitors to the wider area.

Mr Jones noted that since the initial submission changes had been made including the access arrangements and the retention of a tree. Flagship Homes had confirmed that the conditions proposed by the Highways Authority could be met and that the lime and oak trees at the front and rear of the site would be protected.

The Chairman invited questions to Mr Jones and Ms Davis.

Mr Jones said that ground source heat pumps could not be installed on the site as there was not enough land to provide one for each dwelling. Ms Davis confirmed that, following advice from the Council's Housing team, the dwellings had been designed so that accessible bathrooms would be provided in all the properties.

In response to concerns raised about plots 1 and 2 and the need for piles due to land contamination, Mr Jones said that advice provided suggested that houses could be built on those plots and that if piling was necessary this could be controlled and methods used to dampen the noise.

Ms Davis noted that changes to the access arrangements had been made in response to the Highways Authority's comments and a footpath had also now been incorporated into the site. In response to a question regarding parking on the edge of the site, Ms Davis said this was an area not under the applicant's control.

Mr Jones, in response to concerns about loss of green space at the entrance to the site, confirmed that this area was not protected and was therefore not a loss of open space as defined by the NPPF.

Mr Jones reiterated that noise assessments for both the original and revised schemes had been completed as requested and the results had been deemed acceptable by both Planning and Environmental Health. Mr Jones added that mitigation would be put in place and this would be controlled by the recommended conditions.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee expressed concern about the loss of the green space at the entrance to the site. Councillor Cooper said he could not support the development with the inclusion of plots 1 and 2 as there were too many anomalies that had not been addressed, and

noted that the green space in that area of the site had been used by the community for over 60 years.

Officers clarified that the green space in question was not allocated as an open space by planning policy and that its retention needed to be weighed against the benefit of the affordable housing that would be delivered by the site; the Planning Manager noted the definition of a public open space in the NPPF. The Planning Manager advised the Committee that the site was not identified as a public open space in the Leiston Neighbourhood Plan and noted that the Committee could consider the visual impact of the development and if the loss of the open space was a concern in that regard.

Councillor Ashdown sought clarity that plots 1 and 2 would not have a detrimental effect on 3 South Close. The Planner highlighted the 45 degree test used to work out loss of light and said that in this instance there would be a negligible effect on the east-facing windows of 3 South Close and advised that it would be difficult to defend refusal on these grounds.

Councillor Rivett noted the comments of Members about the loss of the green space on the site, in particular Councillor Cooper's comments about the longstanding use of the space by the community, and asked if there was any justification in planning policy to refuse the application. The Planning Manager reiterated his earlier comments on visual impact and the loss of the open space in this regard and suggested that if the Committee was minded to refuse the application, it could consider this against a number of design and open space policies in the Development Plan.

Councillor Pitchers suggested that the application should be reconsidered by the applicant and was advised by the Planning Manager that deferring the application for this reason was an option available to the Committee.

On the proposition of Councillor Brooks, seconded by Councillor Pitchers it was by a unanimous vote

RESOLVED

That the application be **DEFERRED** to enable officers to discuss with the applicant the Committee's concerns regarding the proposed number of dwellings and the loss of green space.

10 DC/21/2287/FUL - 7 Holly Grange Road, Kessingland, Lowestoft, NR33 7RR

The Committee received report **ES/0875** of the Head of Planning and Coastal Management, which related to planning application DC/21/2287/FUL.

The application sought full planning permission to demolish the existing bungalow and garage, and sub-divide the plot and erect two contemporary cabins.

Kessingland Parish Council had recommended refusal of the application and therefore due to the contrary officer recommendation the application was referred to the Planning Referral Panel for consideration. At the Referral Panel's meeting of 17 August 2021, it was decided by Members that the application be referred to the Committee for determination.

The Committee received a presentation from the Planner, who was acting as the case officer for the application.

The site's location was outlined, and the Planner highlighted the site's relationship with a mix of dwelling types in the area. The Planner noted that the application description stated that the existing bungalow was uninhabitable; the Planner said that no evidence had been provided to support this and this was therefore not a determining factor.

An aerial photograph of the site was displayed which outlined the site's relationship with the wider area.

Photographs of the access to the site were shown to the Committee. The proposed floor plan and elevations were also displayed.

The Planner advised the Committee that a short-term permission of five years for the siting of the cabins on the land was recommended and would be acceptable on that temporary basis, but longer term, officers expected to see a proposal for a built replacement dwelling of a design standard and built quality that could endure in the context and provide good quality accommodation.

The material planning considerations and key issues were summarised as:

- The principle of development;
- The character and appearance;
- Temporary consent;
- Amenity;
- Highway Safety; and
- RAMS

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The proposed temporary dwellings were described as being demountable structures not qualifying as permanent dwellings, that would comply with The Caravan Sites Act 1968.

It was confirmed that the applicants would be living in the structures as permanent residents in two separate dwellings.

The Planning Development Manager advised that, should the Committee be minded to approve the application, it could opt to include a condition that the two separately identified units be sold as a single site and not as two sub-plots.

The Committee was informed that temporary consents are usually issued for either three or five years, with five years being a standard condition. This condition had been agreed to by the applicant's agent.

In response to a question regarding preventing the demolition of dwellings, the Planning Development Manager noted that the principle of replacement dwellings was acceptable in

policy terms; applications for demolition and replacement were generally only resisted when the existing dwelling was a Non-Designated Heritage Asset, in order to retain historic importance. The Planning Development Manager said that Planning would look to control the recycling of materials but was not currently able to curtail demolition and replacement.

The Planning Development Manager confirmed that as the site would be divided into two sub-plots, a future application could be made to put a permanent structure on one part of the site. The Planning Development Manager reiterated his advice about a possible condition to control the sale of the site.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

Councillor Ashdown proposed that should the application be approved, a condition be imposed that the two separately identified units be sold as a single site and not as two sub-plots.

Councillor Ashdown asked how the five-year limit on the temporary structures would be enforced; the Planning Development Manager advised that any extant consent would expire in five years' time and it would be in the applicant's best interests to either apply to renew the temporary consent or come forward with a long-term solution.

In response to a question from Councillor Ceresa, the Planning Development Manager said that the condition proposed by Councillor Ashdown would not preclude dual access arrangements for the site.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report and with the additional condition proposed during debate.

On the proposition of Councillor Pitchers, seconded by Councillor Ceresa it was by a majority vote

RESOLVED

That the application be **APPROVED** subject to the following conditions:

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

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

2. The development hereby permitted shall be for a maximum period of 5 years from the date of this permission, after which time the structure shall be removed to the satisfaction of the Local Planning Authority and the land reinstated to its former condition.

Reason: Having regard to the non-permanent nature of the structure.

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

- Site Location Plan, received 10/05/2021
- Proposed Block Plan, received 10/05/2021
- Proposed elevation, AB5, received 10/05/2021
- Proposed elevation, AB4, received 10/05/2021
- Proposed elevation, AB3, received 10/05/2021
- Proposed elevation, AB2, received 10/05/2021
- Proposed floorplan, AB1, received 10/05/2021

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

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

4. Prior to the placement and/or construction of second hereby approved cabins on site, the existing dwelling of 7 Holly Grange Road, Kessingland, shall be fully demolished.

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

5. No more than 2 cabins shall be erected on site, and they shall be placed as detailed on proposed block plan received 10/05/2021.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof), or C (Roof alterations) 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.

7. The two separately identified units will only be sold as a single site and not as two sub-plots.

Reason: ???

Informatives:

1. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website <https://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering> or email llpg@eastsuffolk.gov.uk.

2. 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.

3. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk.

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>.

11 DC/21/2687/FUL - Land Adjacent 49 Meadow Gardens, Beccles, NR34 9PA

The Committee received report **ES/0876** of the Head of Planning and Coastal Management, which related to planning application DC/21/2687/FUL.

The application sought full planning permission for a single storey 3-bedroom bungalow with associated on plot parking and landscaping, between 49 and 53 Meadow Gardens, Beccles. The application was before the Committee as East Suffolk Council is both the landowner and applicant.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown photographs of the site (including trees to be removed), the streetscene and views of 49 and 53 Meadow Gardens.

The proposed block plan, floor plans and elevations, including the elevations in the context of the streetscene, were displayed to the Committee.

The material planning considerations and key issues were summarised as:

- The principle of development;
- The design;

- Amenity;
- Highways; and
- Ecology.

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

At this point in the meeting, Councillor Craig Rivett declared a Local Non-Pecuniary Interest in both this item and item 12 of the agenda as the Cabinet Member with responsibility for Economic Development, as his portfolio included assets and both applications were on Council land.

The Chairman invited questions to the officers.

The Planner confirmed that the development was considered as being in keeping with the character of the area.

The Chairman invited Mr Ryan Taylor, Housing Development Officer representing the Council as the applicant, to address the Committee.

Mr Taylor described the application as an exciting opportunity to provide much needed affordable and accessible accommodation. Mr Taylor said that development on the site was supported by previous consents and that the development would complement the local vernacular and would be in keeping with the streetscene.

Mr Taylor said that the design was for a three-bedroom bungalow and was a scheme that was part of a European research project to look at alternative construction methods to bricks and mortar, in relation to energy efficiency. The dwelling would be a pilot home that would feed real time data to the project. Mr Taylor noted that the construction method would not alter the appearance, scale or massing of the dwelling.

Mr Taylor considered that the project was an exciting one for the Council to be involved in and would be a valuable addition to the Council's housing stock, assisting in the Council's carbon reduction.

The Chairman invited questions to Mr Taylor.

Mr Taylor confirmed that the dwelling would be a single building with a recessed area.

The Chairman invited the Committee to debate the application that was before it.

Councillor Ashdown supported the application and suggested that it be approved.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Ashdown, seconded by Councillor Pitchers it was by a unanimous vote

RESOLVED

That the application be **APPROVED** subject to the conditions set out below:

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

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

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

- Site location plan, PL-001, received 02/06/2021
- Visibility splay plan, PL-060 Rev A, received 05/08/2021
- Proposed block plan, PL-050 Rev A, received 29/07/2021
- Proposed floor plan, PL-100 Rev A, received 29/07/2021
- Proposed street scene, PL-201, received 02/06/2021
- Proposed elevations, PL-200, received 02/06/2021
- Proposed sections, PL-202, received 02/06/2021

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

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

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

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

4. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3m and been made available for use.

Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

5. 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 adjacent metalled carriageway.

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

6. The access driveway shall be constructed at a gradient not steeper than 1 in 8.

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

7. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway 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.

8. Before the development is commenced details shall be submitted to and approved in writing by the Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. 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.

9. Before the access is first used visibility splays shall be provided as shown on Drawing No. PL060 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

10. The use shall not commence until the area(s) within the site on dwg. no. PL-050 Rev. A for the purposes of Loading, Unloading, manoeuvring and parking of vehicles and secure cycle storage 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

11. Before the development is commenced 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 the use of sustainable transport options.

12. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number PL-050 Rev. A shall be provided 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.

Informatives:

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

2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website <https://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering> or email llpg@eastsuffolk.gov.uk.

3. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsuffolk.gov.uk.

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>.

12 DC/21/2836/FUL - Leiston Enterprise Centre, Eastlands Road, Leiston, IP16 4US

The Committee received report **ES/0877** of the Head of Planning and Coastal Management, which related to planning application DC/21/2836/FUL.

The application sought full planning permission for the addition of two external wall mounted condensing units for an air conditioning system at Leiston Enterprise Centre.

The application was before the Committee as it related to a building owned by East Suffolk Council, and therefore the Council's Constitution required the application be determined by Members.

The Committee received a presentation from the Planning Officer, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial view of the site which outlined the application site's relationship with the local area.

The proposed block plan, installation plan and elevations were displayed. The Committee was also provided with photographs of the site detailing the proposed location for the air conditioning units and the site's relationship with a neighbouring property.

There being no questions to the officers or any public speaking, the Chairman invited the Committee to debate the application that was before it.

Councillor Cooper stated that he had no objections to the development. Councillor Beavan expressed some concern about the use of air conditioning, given its environmental impact.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Ceresa it was by a majority vote

RESOLVED

That the application be **APPROVED** subject to the conditions below:

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 application form (amended certificate 29 June 2021), Daikin product details and drawing no. 2023 01 received 14 June 2021

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

3. Prior to installation a noise assessment shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Reason: In the interests of residential amenity as noise from fixed plant or machinery can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics.

Informatives:

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

The meeting concluded at 5.02pm

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Chairman