



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

# Strategic Planning Committee

## Members:

Councillor Paul Ashdown (Chairman)  
Councillor Debbie McCallum (Vice-Chairman)  
Councillor Melissa Allen  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Jocelyn Bond  
Councillor Norman Brooks  
Councillor Jenny Ceresa  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Mike Deacon  
Councillor Graham Elliott  
Councillor Tony Fryatt  
Councillor Andree Gee  
Councillor Colin Hedgley  
Councillor Malcolm Pitchers  
Councillor David Ritchie  
Councillor Craig Rivett  
Councillor Kay Yule

Members are invited to a **Meeting** of the **Strategic Planning Committee**  
to be held in the Conference Room, Riverside, Lowestoft  
on **Monday, 9 March 2020 at 10.30am**

An Agenda is set out below.

**Part One – Open to the Public**

**Pages**

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<b>1</b>	<b>Apologies for Absence and Substitutions</b>	
<b>2</b>	<b>Declarations of Interest</b> Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Minutes</b> To confirm as a correct record the Minutes of the Meeting held on 9 December 2019.	<b>1 - 14</b>
<b>4</b>	<b>Planning Policy and Delivery Update ES/0209</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>15 - 28</b>
<b>5</b>	<b>Enforcement Performance Report - October to December 2019 ES/0322</b> Report of the Head of Planning and Coastal Management	<b>29 - 31</b>
<b>6</b>	<b>Planning Appeals Report ES/0324</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>32 - 57</b>
<b>7</b>	<b>Development Management Performance Report ES/0323</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>58 - 60</b>
<b>8</b>	<b>Agents, Town and Parish, and Forum Update ES/0325</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	<b>61 - 62</b>
<b>9</b>	<b>Strategic Planning Committee's Forward Work Programme</b> To consider the Committee's Forward Work Programme	

## Part Two – Exempt/Confidential

## Pages

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

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Minutes of a Meeting of the **Strategic Planning Committee** held in the Deben Conference Room, East Suffolk House, Melton, on **Monday, 9 December 2019 at 10:30 am**

**Members of the Committee present:**

Councillor Melissa Allen, Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor Tony Fryatt, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

Councillor TJ Haworth-Culf

**Officers present:**

Liz Beighton (Planning Development Manager), Lisa Chandler (Energy Projects Manager), Caroline Clamp (Assistant Planning Officer), Mark Edgerley (Principal Planner Planning Policy), Naomi Goold (Senior Energy Projects Officer), Mark Kemp (Environmental Protection Officer), Matt Makin (Democratic Services Officer), Bethany Rance (Graduate Town Planner (Energy Projects)), Desi Reed (Planning Policy & Delivery Manager), Philip Ridley (Head of Planning & Coastal Management)

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**1 Election of a Chairman**

On the proposition of Councillor McCallum, seconded by Councillor Ceresa, it was

**RESOLVED**

That Councillor Paul Ashdown be elected Chairman of the Committee for the 2019/20 Municipal Year.

**2 Election of a Vice-Chairman**

On the proposition of Councillor Ashdown, seconded by Councillor Ceresa, it was

**RESOLVED**

That Councillor Debbie McCallum be elected Vice-Chairman of the Committee for the 2019/20 Municipal Year.

### 3 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Ritchie.

### 4 Declarations of Interest

Councillor Bond declared a Local Non-Pecuniary Interest in item 11 as it related to her Ward.

Councillor Cooper declared a Local Non-Pecuniary Interest in item 11 as it related to his Ward.

Councillor Ashdown declared that he had received significant correspondence via email in respect of item 11. He invited any other Members present to declare receiving any correspondence, if they so wished to.

Councillors Allen, Bird, Bond, Ceresa, Cooper, Coulam, Deacon, Elliott, Hedgley, Pitchers, and Rivett all declared that they had received significant correspondence via email in respect of item 11.

Councillor Haworth-Culf, who was visiting the Committee in her capacity as Ward Member for Aldeburgh and Leiston, also declared that she had received significant correspondence via email in respect of item 11.

### 5 Minutes

#### RESOLVED

That the Minutes of the Meeting held on 9 September 2019 be agreed as a correct record and signed by the Chairman, subject to the following amendments:

Agenda Item 11, page 19, paragraph 1 to be deleted and replaced with

"That **AUTHORITY TO APPROVE** be granted subject to:

- receipt of additional bat survey information including impacts and mitigation measures;
- receipt of a Shadow Habitat Regulation Assessment (HRA) report providing sufficient detail for this Authority to undertake the necessary assessment in accordance with the habitats regulations;
- the signing of a section 106 legal agreement requiring a payment in relation to residual impacts on the AONB; and
- the inclusion of appropriate conditions including those detailed below."

Agenda Item 11, page 24, condition 15, to add the following text to the end of the first sentence "and Suffolk County Council as Lead Local Flood Authority."

Agenda Item 11, page 26, condition 20, to delete the following text from the first sentence "[...] (other than the Permitted Preparatory Works as defined in Informative 1) [...]"

*Following the confirmation of the Minutes, the Chairman advised that the agenda would be reordered so that item 11 was heard next.*

**11 East Suffolk Council Engagement During the Development Consent Order Process for ScottishPower Renewables East Anglia One North and East Anglia Two Offshore Windfarm Proposals**

The Committee received report **ES/0210** of the Deputy Leader and Cabinet Member with responsibility for Economic Development.

ScottishPower Renewables had submitted two separate nationally significant applications for offshore windfarm developments off the East Suffolk coast with onshore infrastructure from the coast at Thorpeness via a cable route to the grid connection location to the north of Friston. The applications, East Anglia One North (EA1N) and East Anglia Two (EA2) were submitted to the National Infrastructure Unit of the Planning Inspectorate (PINS) on the 25 October 2019 and accepted on 22 November 2019.

The proposals had been the subject of pre-application consultation with the local authority and four formal rounds of public consultation, the last ending in March 2019. The Council was a statutory consultee in the decision-making process and the Secretary of State for Business, Energy, and Industrial Strategy would be making the final decision on the proposals based on the recommendation of the Examining Authority (appointed by the PINS) following an examination process.

The report provided background to both of the projects, a summary of the current position of the Council in relation to the projects, and sought advice and support from the Committee in relation to future consideration and process through the Development Consent Order (DCO) procedure of the proposals by the Deputy Leader and Cabinet Member for Economic Development, Councillor Craig Rivett, and his advice to Cabinet on these matters.

Following a query raised by a Member of the Committee in relation to these proposals and other pending proposals Councillor Rivett assured the Committee that the Council had been working closely with the Department for Business, Energy and Industrial Strategy and others regarding the cumulative impacts of these proposed developments and that meetings had been held with the Minister of State for Business, Energy and Clean Growth to express the Council's concerns and seek the Government's assistance. He noted that the two new windfarms would bring jobs to the District, citing up to 100 jobs that EA1 would create. East Coast College had also opened its Energy Skills Centre and had entered into a partnership with Maersk to deliver training there.

Councillor Rivett said that the Council, as a statutory consultee and not the determining authority, needed to consider the proposals with its usual rigour, highlighting that 80% of planning decisions that had been reviewed on appeal by the PINS in the last three months had been upheld.

It was highlighted that the Council had sought further information from ScottishPower Renewables on both projects in relation to a number of matters, detailed at paragraph

3.7 of the report. Councillor Rivett considered that it was important that the scale of the proposals was not underestimated and noted the significant area that the onshore elements of the proposals would occupy.

Councillor Rivett invited the Senior Energy Projects Officer to make a presentation to the Committee on the proposals submitted to the PINS.

The Committee was advised of the consultation timeline for the EA1N and EA2 projects and that the Phase 4 consultation period had been completed in March 2019; applications to the PINS for DCOs had been made in October 2019 and accepted in November 2019. The applications were now at the pre-examination stage and ScottishPower Renewables (the applicant) had advertised that the proposals had been submitted.

The deadline for relevant representations to be submitted to the PINS was 27 January 2020. The Council as host Authority had pre-registered as an “interested party”, the relevant representation detailed a summary of the Council’s issues / response to the project.

The Senior Energy Projects Officer explained that the examination was expected to start between March and May 2020; once started the examination process would follow a strict six-month timetable and a decision was expected in the Spring of 2021.

The Senior Energy Projects Officer highlighted the key revisions to the proposals since the Phase 4 consultation relating to seascape, highways, substations, National Grid Electricity Transmission works, flood risk, the cable route, and working hours.

The Committee was shown a map which demonstrated the proximity of the proposed locations of EA1N and EA2 to other consented or proposed windfarms within the East Anglia Zone. The Senior Energy Projects Officer highlighted that the applicant had slightly increased the distance between the two developments by reducing the area at the northern end of the EA2 zone and that they would be nearer to the coast than any of the other windfarms in the zone.

The Senior Energy Projects Officer gave statistics on EA1N and EA2 relating to their operational capacity, the number of households they could power, their distance from shore at its closest point, the number of turbines, the turbine tip heights, and the number and type of offshore platforms that would be required. The Committee was also shown images of the types of platforms that could be used.

A map outlining where cabling would come ashore at Thorpeness and its route to the proposed substation site immediately north of Friston was displayed. It was confirmed that cabling would be underground, and its shore exit would be 85 metres back from the cliff edge to compensate for potential future coastal erosion.

The Senior Energy Projects Officer noted the proximity of the Special Protection Area (SPA) and Site of Specific Scientific Interest (SSSI) to the cable route and detailed where the cable would run alongside the areas before crossing at the narrowest point. The Committee was also made aware that a gap would be created in protected woodland in Aldringham for the cabling route and that it would not be possible to plant new trees

above the installed cables. Some works to the overhead lines would be required at the substation site in order to connect the infrastructure to the National Grid network.

The indicative positions for the onshore substations were demonstrated. There would be one substation per offshore windfarm, along with a National Grid substation which would be shared by both projects. The Senior Energy Projects Officer highlighted the concerns raised about the impact of these substations on the settings of nearby listed buildings, particularly how the relationship between the historic buildings and their settings would be disrupted. The construction of the substations would also require the diversion of a public right of way which was along a historic parish boundary.

Officers also had significant concerns regarding the impact of operational noise from the substations and considered that this was not fully addressed by the applicant's submissions. Officers had noted that it was not clear within the submissions what impact the noise from the substations would have on both the local ecology and the character of the area and that this would need to be explored further.

The Committee received an example layout for the substations; each substation would measure 190 metres by 190 metres. The Committee was also shown a picture of the existing substation for East Anglia One (EA1). The maximum height of substation equipment would be 18 metres and the maximum building height would be 15 metres.

An illustrative masterplan for the site was displayed. The Senior Energy Projects Officer highlighted the additional planting proposed around the substation site. The site drainage was also discussed. It was noted that the surface water flow paths, which were observed during recent flood events in and around Friston, did not correspond with the flow paths recorded on published maps and that further work was required with the applicant in this regard.

An example photograph of a cable sealing end compound was shown. The maximum height would be 16 metres and the individual sealing end compounds would be 50 metres by 50 metres, with a sealing end compound including a circuit breaker measuring 50 metres by 100 metres.

The presentation also included several visualisations provided by the applicant within their submissions of the proposed substation site, looking from various viewpoints. The visualisations included computer-generated imagery of the substation developments superimposed on to the site and gave examples of what the applicant considered the view would be both at the first year of operation and 15th year of operation, demonstrating the proposed planting to screen the site.

The Senior Energy Projects Officer said that there was concern that the proposed planting would not have reached the levels of maturity suggested by the applicant within 15 years and that the sites would not be screened from view as much as the applicant had suggested.

The Senior Energy Projects Officer outlined the issue of the cumulative impact of future projects including Sizewell C, National Grid ventures (interconnectors Eurolink and Nautilus), the Galloper extension, and the Greater Gabbard extension. Concerns had



also been raised about the substation site / Friston area becoming an area for future connections should these developments occur.

Officers were said to be reviewing the significant number of documents submitted by the applicant, in order to draft the Relevant Representations and Local Impact Reports that needed to be submitted to the PINS. It was the intention that these draft documents be reviewed by the Cabinet at its meeting on 7 January 2020 before their submission. The Senior Energy Projects Officer said that the Council continued to work with the applicant to identify the means by which the impacts of the proposals could be mitigated and/or compensated.

The recommendations set out in the report were outlined to the Committee.

The Chairman invited questions to Councillor Rivett and the Planning officers.

Councillor Rivett and the Head of Planning and Coastal Management confirmed that the Council had been active in liaising with the Department of Business, Energy and Industrial Strategy and the Ministry of Housing, Communities and Local Government, on the proposals and would continue to do so. It was noted that the dialogue had been delayed by the impending General Election and that the Council would be contacting the Department for Business, Energy and Industrial Strategy following the conclusion of the election to progress all outstanding work.

A member of the Committee sought clarification that cabling would come ashore at Thorpeness and be underground on its route to Friston. He asked where the proposed Sizewell C Nuclear Power Station would connect if approved and was advised by the Head of Planning and Coastal Management that this would connect at the Sizewell nuclear site. He was also asked whether ScottishPower had sought grid connection at Sizewell.

It was confirmed that it had been indicated in an earlier consultation that an option to connect at Sizewell had been considered but it was understood this proposal had been dismissed due to the impact it would have on the AONB (The ScottishPower proposals would still have resulted in an additional National Grid substation at Sizewell).

The Head of Planning and Coastal Management advised that the Secretary of State for Business, Energy, and Industrial Strategy would determine the DCO application based on the information contained in the submission and will not have regard as to whether there may be better / more preferable options for the scheme.

*Councillor Bird left the Conference Room at 11.05 am and returned at 11.07 am.*

The Senior Energy Projects Officer confirmed that the proposed Galloper and Greater Gabbard wind farm extensions, which were yet to be determined would also require their own substations but that the proposed National Grid substation may be expected to be extended if the DCO was consented. Councillor Rivett highlighted that the Council had raised with the Department for Business, Energy and Industrial Strategy that the piecemeal approach to energy projects in the area was not appropriate.

A member of the Committee asked what the connection arrangements were for EA1 and if they could be used for the proposed developments. The Head of Planning and Coastal Management advised that the cabling for EA1 came ashore at Bawdsey and travelled underground via the Deben Peninsula to the north-west of Ipswich to connect at Bramford. He also noted that the permission granted for East Anglia Three (EA3) included utilisation of the same cable run.

The Senior Energy Projects Officer added that, following the Government funding process, EA1 received funding for a smaller capacity scheme and therefore sought a non-material amendment to the project which permitted a reduction in its generation capacity and a change to its transmission from Direct Current to Alternating Current. As a result of the amendments, the ability for the Bawdsey to Bramford cable corridor to accommodate future projects was removed. The onshore cables due to the nature of their transmission and installation required more space within the cable corridor.

Councillor Rivett confirmed that the recommendations to the Committee, ahead of the recommendations that would be given to the Cabinet in January 2020, would ensure that the Council was able to respond within the set timescales.

A member of the Committee, who was Ward Member for Aldeburgh and Leiston, acknowledged the agility required for the Council to participate in the examination process, and suggested that the recommendations could be amended to include Councillor Cooper, the Assistant Cabinet Member for Planning and Coastal Management. She suggested that this would be an improvement as more than one Member would be involved, and that Councillor Cooper was also Ward Member for Aldeburgh and Leiston.

Councillor Rivett explained that the issue was not being concentrated with himself entirely and noted that updates would be given to JLAG in addition to the report before the Committee and the report that would be presented to the Cabinet. Councillor Rivett invited Councillor Cooper to attend his energy briefings.

The Chairman invited the Committee to debate the recommendation that was before it. Councillor Rivett opened debate by proposing the recommendation set out in the report.

Several members of the Committee noted that members of the public had wished to speak and ask questions of the Committee on this item but had been unable to do so.

Reference was made to the Committee's previous meeting, where there had been public speaking regarding the planning application for Sizewell B Nuclear Power Station relocated facilities; several Members queried why public speaking had not been allowed on this item as they considered it important that residents views were heard.

Officers advised the Committee that in the case of the Sizewell B application, the Council had been the determining authority and as such the Council's Constitution allowed public speaking on the item. With regards to the DCO submissions for EA1N and EA2, the Council was a statutory consultee and the applications would be determined by the Secretary of State for Business, Energy and Industrial Strategy and no provision was available to enable the public to address the committee.

The Head of Planning and Coastal Management noted that the recommendations in the report before the Committee sought its views before being presented to the Cabinet at its meeting in January 2020, who would formulate the Council's response to the submissions. He advised the Committee that other interested parties were also able to submit their representations directly to the PINS to become involved in the examination process.

Councillor Rivett assured the Committee that the Council had and would continue to seek the views of residents regarding the proposals as it would be remiss of the Council not to do so.

Several members of the Committee expressed their support for wind power in the District. One Member was of the view that no site would be perfect and suggested that the Committee take the advice from technical experts and support Councillor Rivett and his role within the process.

The Committee discussed what weight would be given to the Council's representations to the PINS. Councillor Rivett stated that the Council's representations would be given significant weight as it was a statutory consultee and the Senior Energy Projects Officer advised that the Local Impact Report was a requirement of the decision-making process and had to be taken into account when the submissions were determined.

The Chairman invited Councillor Haworth-Culf, visiting as Ward Member for Aldeburgh and Leiston, to speak.

Councillor Haworth-Culf suggested that the Council held a public meeting to seek the views of residents on the proposals. She acknowledged Councillor Rivett's statements and expressed concern about the impact the proposals would have on residents' mental health as well as on the local area. She suggested that local employment would be lost, traffic issues would arise, and that there would be a negative impact on local ecology and noise levels. She was pleased to hear that officers shared concerns regarding noise levels and that both JLAG and Councillor Cooper would be kept apprised of the situation.

Councillor Rivett assured the Chairman that the Committee would also be kept up to date regarding the proposals.

The Chairman moved to the recommendations, which had been proposed by Councillor Rivett. Councillor Rivett acknowledged the suggestion from a member of the Committee regarding a possible amendment but did not feel it was required and reiterated that Councillor Cooper was welcome to attend the energy briefings.

It was confirmed that should the recommendations not be accepted by the Committee, its comments regarding Relevant Representations and the Local Impact Report would not be forwarded to the Cabinet when it considered the report in January 2020.

On the proposition of Councillor Rivett, seconded by Councillor McCallum it was by a majority vote

## RESOLVED

That Strategic Planning Committee endorses and supports the Deputy Leader and Cabinet Member for Economic Development in seeking delegated authority, in conjunction with the Head of Planning and Coastal Management, from Cabinet in order to:

1. Be agile in responding to requests for information and documents during the Development Consent Order process for the East Anglia One North proposal including representing the Council/authorising technical officers to represent the Council at Hearings; and
2. Be agile in responding to requests for information and documents during the Development Consent Order process for the East Anglia Two proposal including representing the Council/authorising technical officers to represent the Council at Hearings.

*Following the conclusion of this item, the Chairman announced that the agenda was being further re-ordered and that item 9 would be heard next.*

### **9 Authority Monitoring Report 2018/19**

The Committee received report **ES/0211** of the Cabinet Member with responsibility for Planning and Coastal Management.

The Authority Monitoring Report (AMR) was produced annually to provide information on the progress of producing and implementing the Council's Local Plans. The Council monitors planning applications and decisions each year to provide a basis on which to judge the implementation and effectiveness of policies contained within Local Plans and Neighbourhood Plans. Monitoring data collected by the Council was used alongside information collected from other sources such as Suffolk Observatory, Office of National Statistics and Natural England.

The 2019 AMR covered the monitoring period 1st April 2018 to 31st March 2019; Previous AMRs had been produced individually by Suffolk Coastal District Council and Waveney District Council since 2005, but this was the first report covering the East Suffolk area.

The Principal Planner made a presentation on the report, summarising the information that it contained. He spoke about the Council's progress against its Local Plans and the development of new Local Plans, supporting communities to formulate Neighbourhood Plans, the collection of the Community Infrastructure Levy (CIL) and the projects these funds had been directed towards, the Council's active co-operation with neighbouring Local Planning Authorities, monitoring of significant effects identified in Local Plan sustainability appraisals.

*Councillor Gee left the Conference Room at 11.35 am and returned at 11.39 am.*

It was noted that the new Waveney Local Plan had been adopted by Waveney District Council in March 2019 and that this AMR provided baseline information that would evolve from the performance of that Local Plan. The Principal Planner advised that this

would also be the case for the emerging Suffolk Coastal Local Plan following its adoption.

The Committee was advised that the Council's Constitution specified that the AMR was to be received by the Strategic Planning Committee. The Principal Planner noted the significant information within the AMR which it was hoped presented a positive approach from the Council.

The Chairman invited questions to the Principal Planner.

It was confirmed that the AMR would be published on the Council's website and would be used by officers in various different ways, such as to monitor business plan targets and implementation of the Local Plan. He added that it could also be used in Appeals Decisions and examinations by the PINS either in favour of or against the Council. The document was described as being a powerful one for showing performance against indicators.

A member of the Committee noted the disparity between neighbourhood CIL collection in the former Suffolk Coastal and Waveney areas and sought further clarification on this. The Principal Planner said that the tables in the AMR related to the 2018-19 monitoring period and that collection was dependent on a number of factors such as completion of development, which would affect the monitoring period the collection appeared in. The Principal Planner agreed to check these figures before the publication of the document.

Another member of the Committee noted the comments regarding Neighbourhood Plans and said that he had experienced times where their policies had been ignored and wanted to see this change. The Head of Planning and Coastal Management assured the Committee that Neighbourhood Plans were given due regard and weight and were not ignored when determining planning applications, as this would be unlawful.

The Chairman moved to the recommendations set out in the report.

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

## **RESOLVED**

1. That the East Suffolk Authority Monitoring Report covering the period 1st April 2018 to 31st March 2019 be published.
2. That the Cabinet Member with responsibility for Planning and Coastal Management in conjunction with the Head of Planning and Coastal Management Service be given delegated authority to make minor typographical or presentational changes to the document following Strategic Planning Committee.

## **6 Enforcement Performance Report - July to September 2019**

The Committee received report **ES/0214** of the Head of Planning and Coastal Management. The report provided quarterly statistics on Planning enforcement between July and September 2019.

The report was presented by the Planning Development Manager, who noted that there had been a large number of enforcement cases during the period. She said the vast majority of cases had been closed as there had been no breach of planning permission but had required investigation to resolve as such. In the last period, only one enforcement notice had been served.

The Chairman invited questions to the Planning Development Manager.

A member of the Committee noted that the headline figures in the report showed that more cases were coming in month on month than could be cleared and sought assurances around how the backlog building up would be cleared, asking if the Enforcement Team was adequately resourced.

The Planning Development Manager noted that there was one vacant post in the Enforcement Team, and this would be advertised in January 2020. She considered that the team was adequately resourced and noted that Planning officers all dealt with enforcement cases, with the Enforcement Team dealing with the more complex cases.

The Head of Planning and Coastal Management was not of the view that the Enforcement Team was under-resourced. He suggested that further analysis of the backlog could be considered at the Committee's next meeting on 9 March 2020. He was not aware of any issues raised by town and parish councils and advised the Committee that he and his team liaised regularly with the Cabinet Member for Planning and Coastal Management on the matter.

The Vice-Chairman considered that the Enforcement Team was in the best position it had been for some time. The Chairman concurred with this assessment.

## **RESOLVED**

That the report concerning Enforcement Team statistics be received and noted.

## **7 Planning Appeals Report**

The Committee received report **ES/0207** of the Cabinet Member with responsibility for Planning and Coastal Management. The report provided an update on all appeal decisions received from the Planning Inspectorate between 22 August 2019 and 25 November 2019.

The report was presented by the Planning Development Manager, who noted that 80% of the appeals had been successfully defended. She considered that this demonstrated that the Council was making the right planning decisions at both delegated and Committee levels and that the success rate was higher than many neighbouring authorities.

The Committee gave its thanks to the Planning officers.

## **RESOLVED**

That the contents of the report be received and noted.

### **8 Development Management Performance Report**

The Committee received report **ES/0208** of the Cabinet Member with responsibility for Planning and Coastal Management. The report provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

The report was presented by the Planning Development Manager. It was noted that there had been an upward trend in performance with the exception of determining major applications but that this still exceeded both national targets and the stretched local targets set by the Council. The Planning Development Manager said that this report, in concert with the Planning Appeals report, highlighted that correct decisions were being made in good time.

The Chairman invited questions to the Planning Development Manager.

The Planning Development Manager advised that although the Development Management Team was always under pressure to deliver, it was a diligent and hardworking team containing officers that went above and beyond to achieve. She stated that she was proud of what the team had accomplished.

A member of the Committee reiterated concerns he had raised at the previous meeting of the Committee regarding the number of applications not being referred to Planning Committees for a decision, citing issues in his Ward. He suggested that a more robust referral system was necessary and that any application where both the parish or town council and the Ward Member's views were contrary to the officer's recommendation should be determined by Members, considering that this would have only a small impact on the Planning Committees North and South.

The Head of Planning and Coastal Management stated that the Planning service would review the referral system after one year of operation. He asked Members to direct any concerns from town and parish councils to officers and said that changes could be made to the Constitution, through the Audit and Governance Committee and Full Council, should any issues be picked up after review.

A member of the Committee, who was also a member of Felixstowe Town Council and was Vice-Chairman of its Planning Committee, stated that of late there had been mostly concurrence between that Committee's recommendations and the decisions issued by the Council.

The Vice-Chairman noted that a similar referral system had been operated at Suffolk Coastal District Council. She said that it was important to continually review the decisions made by the referral panel and amend the process as required. She stated concerns about a lack of valid planning reasons being given when consultees recommend refusal, suggesting that a requirement for these to be included could be added to the process in the future.

The Vice-Chairman confirmed that those applications with a significant public interest can be referred to Committee for a decision and that this had happened in the past.

In regard to a question on Neighbourhood Plans a member of the Committee, who was also Vice-Chairman of Planning Committee South, noted that Neighbourhood Plan policies were being given weight by the referral panel but needed to be considered against other local and national planning policies. He reminded the Committee that all Members were welcome to observe referral panel meetings, which took place at 9.30 am on Tuesdays (12 pm on a day where Planning Committee North or South meets).

#### **RESOLVED**

That the contents of the report be received and noted.

#### **10 Suggested Amendments to the Code of Good Practice for Members – Planning and Rights of Way**

The Committee received report **ES/0212** of both the Leader of the Council and the Cabinet Member with responsibility for Planning and Coastal Management.

A review of the Code of Good Practice for Members – Planning and Rights of Way (The Code), conducted in October 2019, had highlighted a number of amendments required to reflect the current practice and arrangements for site visits undertaken by the Council's Planning Committees. The report asked the Committee to review the proposed amendments and recommend that they be approved by both the Audit and Governance Committee and Full Council.

The report was presented by the Head of Planning and Coastal Management who summarised that the Code in its present format suggested that Site Visits were public meetings, when in fact they should be fact-finding meetings.

The Committee was advised that the proposed changes were at Appendix B of the report and that approval would be sought from the Audit and Governance Committee and Full Council, as the Code was part of the Council's Constitution.

There being no questions, the Chairman moved the recommendations as set out in the report.

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

#### **RESOLVED**

That the proposed amendments to the Code of Good Practice for Members – Planning and Rights of Way be considered and recommended for approval to the Audit and Governance Committee and Full Council.

#### **12 Strategic Planning Committee's Forward Work Programme**

The Committee received and reviewed its current forward work programme.



The Vice-Chairman sought the Committee's views on visiting a company called Utopia to research modular housing. The Committee agreed to this in principle.

The meeting concluded at 12.16 pm

.....  
Chairman



## STRATEGIC PLANNING COMMITTEE

Monday, 9 March 2020

### PLANNING POLICY AND DELIVERY UPDATE

#### EXECUTIVE SUMMARY

This report provides an update on the emerging Suffolk Coastal Local Plan and the recently published results of the Housing Delivery Test.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	All
<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer:</b>	Desi Reed Planning Policy and Delivery Manager 01502 523055 <a href="mailto:desi.reed@eastsoffolk.gov.uk">desi.reed@eastsoffolk.gov.uk</a>

## **1 INTRODUCTION**

- 1.1 This report provides a brief update on the emerging Suffolk Coastal Local Plan, having now received the Inspector's post hearings letter and the recently published results for the Housing Delivery Test.

## **2 LOCAL PLAN FOR THE FORMER SUFFOLK COASTAL AREA**

- 2.1 As Councillors will be aware, the Local Plan for the former Suffolk Coastal area is well progressed and was submitted to the Secretary of State, for Examination by the Planning Inspectorate, on 29<sup>th</sup> March 2019. Inspector Philip Lewis BA (Hons) MA MRTPI was appointed to conduct the Examination to determine whether the Local Plan is sound.
- 2.2 The public Hearing stage of the Examination took place between Tuesday 20<sup>th</sup> August and Friday 20<sup>th</sup> September. During the hearings the Inspector requested written clarifications, further information and re-wording of policies and text for his consideration. All these requests were fulfilled and submitted to the Inspector in November 2019 and published on the East Suffolk Local Plan Examination website page.
- 2.3 The Inspector also identified matters during the hearings that he wanted to take away and consider further after the hearings, before writing to the Council on how he wished to take the Examination forward. There has been some unanticipated delay in receiving a written response from the Inspector, partly due to purdah for the general election, but the Council has now received the 'Inspector's post hearings letter', on February 10<sup>th</sup> ([letter available on the Examination page of the East Suffolk website](#)). Also attached as Appendix A to this Report.
- 2.4 The Inspector's post hearing letter clarifies that the purpose of the letter is to set out his thoughts on the Local Plan at this stage and the way forward for the Examination and that his comments are based on all he has read, heard and seen to date, including the Inspector led consultations conducted after the hearings. He emphasises that the examination is not yet concluded, consultation on main modifications is still to take place and, therefore, his comments are without prejudice to his final conclusions on the Plan.
- 2.5 Of particular note is that he considers, subject to main modifications (*i.e. changes relating to the tests of soundness*), that the Plan is likely to be capable of being found legally compliant and sound and that he will set out his reasoning for this in his final report. The Inspector has invited the Council to prepare a consolidated set of the main modifications identified to date for his consideration prior to public consultation.
- 2.6 In addition, the Inspector has set out his response to the matters he wanted to consider further. These include matters relating to Local Housing Need, Housing for Older People, Accessible Housing, Self Build and Custom Build, Affordable Housing on Residential Sites, Provision for Gypsy, Travellers and Travelling Showpeople, Infrastructure Provision, Employment land provision including Innocence Farm, Suffolk Police HQ, Martlesham, South Saxmundham Garden Neighbourhood, Sequential approach to flood risk in relation to housing site allocations in Peasenhall and Witlesham, Housing Mix and Areas to be Protected from Development. The Inspector states that all the main modifications he sets out in relation to these matters are necessary for the Plan to be sound.

- 2.7 The most significant potential change to the Local Plan is the removal of the Innocence Farm employment allocation. In quantitative terms, the Inspector considers that there is currently sufficient employment land for port-related activities to meet the projected needs for the 'Central case' of approximately 67 ha, for the plan period to 2036. However, in qualitative terms he takes the view that this land supply is unlikely to meet this central case in full for the whole plan period but could be sufficient for the medium term. The Inspector expresses concern about the deliverability of the junction arrangements and implications for the viability and delivery of the site. The Inspector therefore concludes that the allocation is not adequately justified and it has not been shown that the proposal can be delivered over the plan period.
- 2.8 The Council has sent an initial response to the Inspector confirming that no additional time to respond is required and that all further information, clarifications and evidence will be provided during a two to three week period i.e. by early March.
- 2.9 Moving forward, the timetable is still subject to how the Inspector wishes to proceed, but it is anticipated that the public consultation on the Main Modifications will commence during the latter part of March for at least 6 weeks. The Inspector will then consider the feedback, any changes and whether the hearing needs to be re-opened. Assuming all goes well, the hearings will not be re-opened and the Inspector will finalise his Report. Based on current timings it is anticipated the Plan will be presented to the Full Council meeting in July 2020.
- 2.10 On adoption, this plan will supersede the Core Strategy and Development Management Policies 2013, Site Allocations and Area Specific Policies 2017, Felixstowe Peninsula Area Action Plan 2017 and the remaining 'saved' policies from 2001 Local Plan, (pre the 2004 Planning and Compulsory Purchase Act).

### **3 HOUSING DELIVERY TEST**

- 3.1 The Housing Delivery Test was introduced in the National Planning Policy Framework 2018 and is the Government's measure of housing delivery at the local authority level. The measurement is based on delivery over the past three years and, depending on the percentage achieved, there are various measures set out that local authorities would need to take to improve delivery. Members will recall from the Report on the Strategic Planning Committee 9<sup>th</sup> September 2019, that last year the production of the East Suffolk Housing Action Plan followed the publication of the first set of Housing Delivery Test results in February 2019.

The relevant thresholds in the Housing Delivery Test, as set out in the National Planning Policy Framework, are:

- Results below 95% - production of a housing action plan to assess the causes of under delivery and identify actions to increase delivery;
  - Results below 85% - inclusion of a 20% buffer (increase) on the housing requirement in calculating the five year housing land supply;
  - Results below 75% - From November 2020 results onwards, the application of the 'presumption in favour of sustainable development' in decision making.
- Transitional arrangements mean that the relevant threshold was 25% for the November 2018 results (published February 2019) and 45% for the November 2019 results (published February 2020).

- 3.2 The second round of results were published by the Government on 13 February 2020. The results, calculated based on the former Districts, are set out below:
- Suffolk Coastal area: 127% (2018 result, published February 2019, was 128%)

- Waveney area: 89% (2018 result, published February 2019, was 72%)

- 3.3 The results for the former Suffolk Coastal district have for both years been above 100% and there have been no direct implications for this part of East Suffolk. For the former Waveney district, last years results did trigger two measures. These were that a 20% buffer (increase) was added to the housing requirement in the calculation of the five year housing land supply and that a Housing Action Plan was to be produced. Reflecting the creation of East Suffolk Council and in setting a positive approach to housing delivery across the District the East Suffolk Housing Action Plan was produced to relate to the full area and this was published in August 2019 (it is available on the Council's website at <https://www.eastsuffolk.gov.uk/planning/housing-action-plan/>).
- 3.4 The results published in February 2020 are broadly as anticipated and represent a positive outcome in that for the former Suffolk Coastal area the delivery remains comfortably above the housing requirement on which delivery is tested, and for the former Waveney area the result is more positive than last years. The requirement to produce a Housing Action Plan for the former Waveney area remains following this years results, although it is considered that the ongoing review and implementation of our East Suffolk Housing Action Plan would in any case represent a positive approach to supporting the delivery of housing through the implementation of the new Local Plans regardless of future Housing Delivery Test results. The requirement is for a Housing Action Plan to be published within 6 months after the publication of the Housing Delivery Test results, and it is anticipated that for this year this would focus on the implementation of the actions already identified in the existing East Suffolk Housing Action Plan.
- 3.5 The current Housing Action Plan includes a number of initiatives related to housing delivery which have already been put in place and the Plan acknowledges that the Council is already taking positive steps to boost and maintain delivery. The actions identified are focused on delivering the new Local Plans and the Housing Action Plan sets out specific actions around ongoing and further improvements to processes and procedures in the Planning Service, the development of further policy tools to support delivery, such as development briefs, and the work of the new Major Sites and Infrastructure Team. Housing completions are reported to Cabinet quarterly and are subject to on-going review.
- 3.6 Members may find it useful to be aware of the number of unimplemented dwellings with planning permission as of 1 April 2019; the latest date for which we have a full picture. For the former Suffolk Coastal area there were 6,058 dwellings with planning permission (including subject to a S106) still to be implemented against a housing delivery annual requirement of 542 dwellings and for the former Waveney area 3,883 against a housing delivery annual requirement of 374 dwellings. (Total for East Suffolk: 9941 dwellings against an amalgamated requirement of 916).
- 3.7 The Government intends to publish the Housing Delivery Test results in November each year, and it is therefore anticipated that the third set of results will be published in November 2020. It is also understood, based on the Planning Practice Guidance, that future Housing Delivery Tests will be calculated on an East Suffolk basis.

#### **4 REASON FOR RECOMMENDATION**

- 4.1 This report is for information only.

**RECOMMENDATION**

That the contents of the report, updating the Strategic Planning Committee on the emerging Suffolk Coastal Local Plan and the Housing Delivery Test be noted and endorsed.

**APPENDICES – Appendix A Inspector’s Post Hearings Letter**

**BACKGROUND PAPERS – None**

**East Suffolk Council. Examination of the Suffolk Council Local Plan**

**Inspector:** Philip Lewis BA(Hons) MA MRTPI

**Programme Officer:** Annette Feeney

Tel: 07775 771026, email: [Annette.feeney@eastsuffolk.gov.uk](mailto:Annette.feeney@eastsuffolk.gov.uk)

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Desi Reed – Planning Policy and Delivery Manager

East Suffolk Council

By email

31 January 2020

Dear Ms Reed

**Examination of the Suffolk Coastal Local Plan**

As I indicated at the conclusion of the examination hearings on 20 September 2019, I am writing to set out my thoughts on the Suffolk Coastal Local Plan (the Plan) at this stage and the way forward for the examination. My comments are based on all that I have read, heard and seen to date, including the Inspector led consultations conducted after the hearings finished. However, I emphasise that the examination is not yet concluded and consultation on main modifications is still to take place. Therefore, these comments are without prejudice to my final conclusions on the Plan.

Overall, I consider that, subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound. I will set out my reasoning for this in my final report. The main modifications should include changes proposed by the Council through their hearing statements and submissions, where I consider they should be treated as main modifications in accordance with the tests for soundness, together with the further main modifications to individual policies and their supporting text as discussed at the hearings. I have invited the Council to prepare a consolidated set of these proposed main modifications for my consideration prior to public consultation on them and I will respond separately in this regard. In addition, there are several matters discussed at the hearings which I said I would take away for further consideration. I set out my response to these matters below.

**Local Housing Need**

Firstly, I consider it would be helpful to outline my thoughts on the soundness of the approach to the provision for new housing in the Plan. The submitted Plan has been prepared using the standard method for assessing local housing as set

out in the revised National Planning Policy Framework (The Framework) 2019 and the Planning Practice Guidance (PPG). It sets a minimum of 582 homes per annum or 10,476 for the period 2018 - 2036. Whilst the Council reached this figure using the standard method, the calculation uses the 2016 based household growth projections, rather than the 2014 based projections as set out in the PPG. In response to my correspondence before the hearings, the Council has recalculated the local housing need figure, using the 2014 based projections and the 2018 median workplace affordability ratio for both the Plan area and wider Ipswich Housing Market Area (HMA) within which the Plan area is situated. The recalculated figure for the Suffolk Coastal area provides a minimum figure of 542 new homes per annum, or 9,756 for the Plan period. These figures were discussed at the hearings.

I will set out in my final report why I consider there is not justification to otherwise adjust the 542 homes figure. Consequently, the Plan should be modified to provide for a minimum of 542 homes per annum, or 9,756 for the Plan period. Specifically, Policy SCLP2.1 should be amended to include that an immediate review of the Plan or relevant strategic policies, would be triggered at the point where it is established through the adoption of a development plan that there is unmet need arising in a neighbouring authority area in the HMA.

## **Housing for older people**

The PPG sets out that Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. Whilst the SHMA update (D16) sets out that the Local Housing Need projections indicate that the population aged 65 or over is going to increase dramatically in the HMA over the plan period; from 104,985 in 2018 to 153,578 in 2036, the evidence as submitted was not clear as to the specific numbers and types of accommodation required for older people in the Suffolk Coastal area over the plan period. I requested further information which was provided by the Council after the relevant hearing session. The Council's Note on Specialist Housing (I8), quantifies the number of general market and affordable housing units required to meet the needs of older people and provides a breakdown in terms of size.

The Note on Specialist Housing also identifies the net need for specialist accommodation for older people in Suffolk Coastal for the plan period. The net requirement for additional market and affordable residential care, sheltered housing and enhanced sheltered/extra care housing identified is significant. To be positively prepared, the Plan should be altered to state the number of units of specialist housing required for older people for the plan period.

Whilst the Plan makes specific provision for older people's housing at the North Felixstowe Garden Neighbourhood comprising care home / extra care / sheltered homes, and contains a requirement for housing to meet the needs of older people at the South Saxmundham Garden Neighbourhood and at a number of allocations, the overall level of provision proposed for housing for older people is not quantified. The Plan should be clear in what it is seeking to deliver in terms



of housing for older people and should be amended accordingly. This is related to my comments regarding accessible housing below.

The Plan as submitted seeks to address the needs of older people through Policy SCLP5.8 Housing Mix. The Policy however, whilst supporting the provision of housing for older people, does not address clearly the significant need identified and would not be effective in delivering the market or affordable housing units for older people required. The Policy and supporting text should be amended to set out how the housing needs of older people will be addressed through the provision of housing and to boost the supply of this type of housing. In addition, the affordable housing policies, SCLP5.10 and SCLP5.11 should address the affordable housing needs of older people.

### **Accessible housing**

In Policy SCLP5.8, it is proposed that the requirements of Part M4(2) of the Building Regulations for accessible and adaptable homes are applied to at least 50% of homes on proposals of 10 units or more. This figure has been derived from the projected increase in the number of people aged 65 or over with a limiting long term illness through the plan period (as part of the significant ageing of the population overall) and evidence of the suitability of the existing housing stock from disabled facilities grants. Broadly, the calculated need for M4(2) housing overall is justified.

At the hearings, some concern was expressed about the possible overlap between the provision of specialist housing and market housing in providing M4(2) housing. Given the level of need for specialist housing for older people identified, these concerns are reasonable and I have not been convinced that the 50% figure is justified. Firstly, the Plan should be amended so that it is clear that Part M4(2) of the Building Regulations should apply to specialist housing, given the likely needs of future occupants. I invite the Council to revisit the calculation of the minimum percentage of dwellings which should meet the requirements of M4(2), having regard to the contribution that would be made by specialist housing to meeting the overall requirement. I will then be able to conclude on what is the appropriate % figure to be applied to non-specialist housing.

### **Policy SCLP5.9: Self-Build and Custom Build Housing**

I conclude that Policy SCLP5.9 is sound as set out in the submitted plan and consequently no modifications are necessary.

### **Policy SCLP5.10: Affordable Housing on Residential Developments**

The Council's Plan Viability Study (D38) found that flatted developments on brownfield sites would not be viable with any affordable housing contribution. Whilst such development is not anticipated to be a significant component in supply, applying the affordable housing requirement to brownfield flatted development would mean that Policy SCLP5.10 would not be deliverable. The Policy and text should be amended to make it clear that the affordable housing requirement does not apply to brownfield flatted development.

### **Provision for Gypsy, Travellers and Travelling Showpeople**

The Gypsy, Traveller, Travelling Showpeople and Boat Dwellers Accommodation Needs Assessment for Babergh, Ipswich, Mid Suffolk, Suffolk Coastal and Waveney May 2017 (ANA) identifies additional need for 15 pitches for Gypsy and Travellers households that meet the definition set out in the Government's Planning Policy for Traveller Sites (2015) (the PPTS). The identified need relates to 10 pitches arising from two unauthorised 'New Traveller' sites which I understand have existed for 20 years or so, with an additional 2 pitches required by 2021 and a further 3 by 2036 relating to new family formations. No future need has been identified in Suffolk Coastal for people who do not meet the PPTS definition.

The existing need is being met by the unauthorised sites, which are long established and may be considered as being lawful. In these particular circumstances, these sites could be included within the existing supply as they are meeting present needs. The main modifications proposed to the Policy and supporting text should reflect this.

### **Infrastructure Provision - Ipswich Northern Route**

Policy SCLP2.2 supports the timely delivery of a number of key strategic infrastructure projects, including the Ipswich Northern Route, a new road to improve connectivity between the A12 and A14 road corridors. A consultation has been undertaken in respect of three potential route options, the results of have been fed into the Strategic Outline Business Case for the project. At this time, it is unclear which if any of the identified potential routes would be progressed. Should a potential route be identified as the preferred route and should the project be approved, this is likely to have significant implications for future development in the HMA, which the local planning authorities and County Council should address through the duty to cooperate. This would not be a quick or straightforward matter to resolve. Given the potential significant implications for development in the HMA should a detailed scheme be approved, this should trigger an immediate review of the strategic policies of the Plan and the Policy SCLP2.2 should be amended accordingly.

## **Employment land provision**

The Plan is seeking to make allocations of B class employment land to meet the needs identified jointly with the ISPA local authorities, and in addition, is proposing an allocation of employment land specifically in relation to the Port of Felixstowe for port related businesses and operations to support the continued viability of the Port.

The baseline minimum employment land for B class uses to be provided in the Ipswich Functional Economic Area (IFA) has been agreed by the ISPA authorities to be around 50 hectares for the period 2018 – 2036. This is reflected in Policy SCLP2.1, which states that at least 30,320 jobs and at least 49.8ha of employment land will be provided. The Suffolk Coastal employment land requirement is for 11.7 hectares of new allocated of employment land. I have no concerns regarding the soundness of the baseline requirement. In addition to a number of existing allocations which are proposed to be carried forward into this Plan, the Plan is proposing 29.62 hectares of new employment land allocations at Felixstowe Road, Nacton (SCLP12.20) and at south of Saxmundham (SCLP12.29).

The Nacton site is situated within the key property market areas for the business and professional services sectors in the Ipswich Economic Area as defined in the Ipswich Economic Sector Needs Assessment (Document D3). The proposed allocation at Saxmundham would be in conjunction with the garden neighbourhood proposal. These sites together would meet the additional need for employment land identified and allow some flexibility to ensure anticipated needs are met over the Plan period.

In addition, the Plan seeks to allocate 67 hectares of employment land at Innocence Farm, Trimley St Martin (SCLP12.35) for port related businesses and operations. The Council's Port of Felixstowe Growth and Development Needs Study: Final Report (D1) recognises the Port of Felixstowe as the UK's largest and busiest container port and it is clearly very important to the economy of the local and wider area. Container trade forecasts have been made and translated into requirements for off port land. These requirements range from 26.3 hectares (low case) to 103.8 hectares (high case). The report recommends that the Council consider planning for at least a Central case (i.e. just under 67 ha of land), to ensure that adequate space is made available for port-related growth and activity should it be needed over the plan period.

Some time was spent at the hearing sessions discussing the supply of and demand for land and warehousing for the Port. There was also some discussion of the likely future container numbers to be handled and where they are likely to be dealt with in the UK. I have conflicting views before me in this regard. However, from what I have heard and read, the assessment for the Council in regard to the likely demand for B8 employment land arising from Port related activities for the Plan period area appears ambitious and optimistic, particularly having regard to the existing pipeline of employment land in the Felixstowe area and that there has been no new warehouse building in the area for many years.

The Report (D1) also found that there was an existing pipeline supply of employment land that is in close proximity to the Port of Felixstowe and considered suitable for port-related activities at just over 67 hectares. Following the hearings, it was confirmed that there is planning permission on land at the Port of Felixstowe Logistics Park and at Clickett's Hill for B8 uses. In quantitative terms, this is sufficient employment land now to meet the projected needs at the Council's preferred Central case for the Plan period. However, I agree that the existing supply, due to the scale, location and nature of some of the sites is unlikely to meet the full central case need for the whole of Plan period. However, were I to accept the Council's position in terms of the employment land needed for the Port, it is apparent that the existing pipeline of provision would be capable of meeting needs into the medium term.

There was also some discussion at the hearings concerning the detail of the proposed allocation at Innocence Farm, including the proposed access, rail connection and potential environmental effects. The Innocence Farm site is situated adjacent to the A14 road. Whilst Highways England considers that the site could be reasonably delivered without causing severe impacts on the A14, an all movement junction is required to serve the site. I agree with the Council, County Council and Highways England that this should be provided as early as possible in the development so as to prevent significant impacts on the highway network. Without it, the site could not be delivered as proposed.

There is however, very little evidence before me, as to the detail, feasibility or costs of such a junction, how it would be funded, whether the site would be viable with the necessary junction provision or whether the site could be phased so that safe and suitable access could be achieved prior to an all movement junction being provided. In the absence of such information, I have severe concerns as to whether the proposed allocation is deliverable. The Council's Plan Viability Study (D38) provides me with no comfort in this regard.

The allocation also includes provision for rail infrastructure, which is identified as an opportunity rather than a requirement. The site is not dependent upon the provision of the rail connection and infrastructure, but I cannot determine that this part of the proposal would be practical within the area proposed.

I have regard to the Framework which in paragraph 80 includes that significant weight should be placed on the need to support economic growth and productivity and in paragraph 82 includes that planning policies should recognise and address the specific locational requirements of different sectors, such as making provision for storage and distribution operations. However, I find that the Innocence Farm allocation is not adequately justified and it has not been shown that the proposal can be delivered over the plan period. To address the shortcoming would not be a quick or straightforward matter to resolve as it would involve, amongst other things, detailed work regarding the access to the site. This should not delay the adoption of this Plan. Consequently, I consider that the Innocence Farm allocation (SCLP12.35) should be removed from the Plan. Given the provision of employment land otherwise being made, there is no need to provide an alternative site to Innocence Farm.

### **Policy SCLP12.25: Suffolk Police HQ, Portal Avenue, Martlesham**

I heard that it is anticipated that the existing Police Investigation Centre (PIC) at Martlesham would be retained in use. In accordance with paragraph 91 of the Framework, the Policy should be amended to ensure that the development of the site has regard to the PIC to ensure that the fear of crime does not undermine the quality of life for future and existing residents in the wider area.

### **Policy SCLP12.29 South Saxmundham Garden Neighbourhood**

The proposed South Saxmundham Garden Neighbourhood (SCLP12.29) is intended to provide approximately 800 homes, community facilities, employment land and open space, through a masterplanned development. The indicative draft masterplan illustrates an area of employment land to the west of the A12, residential development and a community hub between the A12 and the railway and open space, including Suitable Alternative Natural Green Space (SANG) to the east of the railway.

The area identified to the east of the railway as part of the allocation is proposed to be included in the settlement boundary where Policy SCLP3.3 would apply. That is to say that development would be acceptable in principle. Part of this area is an area of land known as 'The Layers', which has some significance to local people and provides an open rural setting for several listed buildings. Policy SCLP12.29 is not clear that this area of land is intended to provide open space and SANG and not built development.

Given that this land has been separately promoted for development, but not as part of the proposed allocation, I consider that there has to be a reasonable prospect that it could be available at some point during the plan period. Therefore, its inclusion within the allocation is justified.

However, I do not accept the Council's argument that including the land east of the railway within the settlement boundary would provide for flexibility in the proposed allocation. Rather it provides uncertainty. This could give rise to pressure to develop the Layers and is inconsistent with the proposed employment land to the west of the A12 which is not included within the settlement boundary, but is still nevertheless part of the proposed allocation, providing for built development. As submitted the Plan is not clear and would not be effective in this form.

Having regard to all that I have read and heard at the hearing, I consider that it is feasible to achieve approximately 800 homes and a community hub on the land identified between the A12 road and the railway line as proposed in the South Saxmundham Garden Neighbourhood. The settlement boundary should be redrawn to exclude the part of the allocation to the east of the railway. Whilst the land to the east of the railway should be retained within the allocation, the Policy criteria should be clear that land within the allocation to the east of the railway is allocated for open space/SANG only.

### **Policy SCLP12.60: Land adjacent to Farthings, Sibton Road, Peasenhall and Policy SCLP72: Land at Street Farm, Witnesham (Bridge)**

The Framework states in paragraph 157 that all plans should apply a sequential, risk based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. This includes amongst other things, applying the sequential test and then if necessary, the exceptions test. It is clear from the SA that the Council has considered a range of options in the site allocation process and has sought to use the Strategic Flood Risk Assessment to apply the Sequential Test. However, the SA is not clear as to why the Council considers that sustainability criteria outweigh flood risk issues. Consequently, the decision making process is not transparent and the reasoned justifications for the decisions to allocate these sites in areas at high flood risk is not provided in the SA report. This information is needed for me to judge whether the proposed allocations are sound. Please provide this information, either by way of an amendment to the SA to make the findings of the Sequential Test explicit for each of these sites, when considered against alternative sites, or as a separate Sequential Test report.

### **Policy SCLP5.8: Housing Mix**

The Policy as submitted is over prescriptive in regard to the provision of 1 and 2 bed properties and the threshold of 5 or more homes has not been justified. The threshold and requirement to provide at least 40% 1 and 2 bed properties should be deleted to make the Policy effective and replaced with wording along the lines of 'Proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (1 or 2 bedrooms)'.

### **Policy SCLP11.9: Areas to be Protected from Development**

The Plan includes a significant number of areas identified on the Policies Map to be protected from development. These varied areas include gaps and gardens, areas to prevent coalescence between settlements and a variety of other spaces. Policy SCLP11.9 sets out that development in these areas will be severely restricted.

Whilst the Council points to the importance the community places on these designations as expressed through responses to the Issues and Options document (A10) there is little or no evidence to justify why each of the areas should continue to be designated, how the boundaries have been defined or what is considered to be of such significance that development should be

severely restricted, which is high planning test. Furthermore, there is no evidence of any review of these designated areas, as was suggested in earlier local plan examinations. Their retention in Policy SCLP11.9 is consequently not justified.

Based on the current evidence, I consider that the Policy should be deleted. However, if the Council wishes to prepare further evidence for me to consider in justification of the retention of the designations, I am willing to agree some time for this limited exercise to be undertaken. There should be sufficient time to do this whilst the main modifications are finalised. There is however no guarantee that further evidence would persuade me to take a different view.

## **Conclusion**

On the evidence I have read and heard to date, all of the main modifications I set out in this letter are necessary for the Plan to be sound. I should be grateful if the Council would let me know its response, particularly in connection with the matters on which I have offered the opportunity for more evidence to be prepared, so I can decide how to take forward the examination. I will contact you separately in regard to the schedule of main modifications compiled following the hearings via the Programme Officer. On receipt of this letter, the Council should make it available to all interested parties by adding it to the Examination website. However, I am not seeking, nor envisage accepting, any responses to this letter from any other parties to the examination.

Yours sincerely

*Philip Lewis*

INSPECTOR



## STRATEGIC PLANNING COMMITTEE

Title of Report:

ENFORCEMENT PERFORMANCE REPORT – OCTOBER TO DECEMBER 2019

Meeting Date

9 March 2020

Report Author and Tel No

Cate Buck  
01394 444290

Is the report Open or Exempt?

Open

## REPORT

To provide information on the performance of the enforcement section.

## RECOMMENDATION

That the report concerning Enforcement Team statistics be received.



## 1. Background

1.1 Following the adoption of the new Local Enforcement Plan in March 2019 and the formation of the new East Suffolk Council section it was decided that a report be presented on a quarterly basis from August 2019.

1.2 Between October and December 2019, Three Enforcement Notices were served.

### Cases Received and Closed October - December 2019

<u>Month</u>	<u>Cases Received</u>	<u>Cases Closed</u>
October	33	68
November	38	28
December	22	14

\*Please note all new complaints are logged, site visited and then triaged in accord with the appropriate risk assessment.

### Reasons for Closure

<u>Reason</u>	<u>October</u>	<u>November</u>	<u>December</u>
No Breach	47	14	10
Compliance/use ceased	7	4	1
Planning Permission Granted	11	9	3
Permitted Development	1	1	0
Immune/Lawful	0	0	0
Duplicate file	1	0	0
Withdrawn	0	0	0
Not Expedient	1	0	0

### Time taken to close cases

<u>Time taken to close cases</u>	<u>Cases Closed in October</u>	<u>Cases Closed in November</u>	<u>Cases Closed in December</u>
<u>1-10 days</u>	8	4	6
<u>11-20 days</u>	1	3	0
<u>21-30 days</u>	2	2	1
<u>31-40 days</u>	3	0	0
<u>41 + Days</u>	54	19	7
<u>Total</u>	<b>68</b>	<b>28</b>	<b>14</b>

**Enforcement Notices Served October to December 2019**

<b><u>Type of Notice</u></b>	<b><u>Address</u></b>	<b><u>Breach</u></b>	<b><u>Compliance period</u></b>
EN	Land at Oak Spring, (Hodmadod Farm) The Street, Darsham	Change of use of land	4 Months
EN	Boasts Industrial Park, College Lane, Worlingham	Change of use of land	4 Months
EN	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	2 Months



## STRATEGIC PLANNING COMMITTEE

Monday, 9 March 2020

### PLANNING APPEALS REPORT

#### EXECUTIVE SUMMARY

1. This report provides an update on all appeal decisions received from the Planning Inspectorate between 22 November 2019 to 21 February 2020.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Development Manager 01394 444778 <a href="mailto:Liz.beighton@eastsoffolk.gov.uk">Liz.beighton@eastsoffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 22 November 2019 to 21 February 2020.

## **2 APPEAL DECISIONS**

- 2.1 A total of 25 planning and listed building appeals have been received from the Planning Inspectorate since the 22 November 2019 following a refusal of planning permission from either Suffolk Coastal District Council, Waveney District Council or the newly formed East Suffolk Council. In addition, two enforcement appeal decision was received.
- 2.2 A summary of all the appeals received is appended to this report.
- 2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
- 2.4 Of the 25 appeal decisions received three were determined by the Planning Committee with the remaining 22 being delegated. No appeals were lodged against non-determination.
- 2.5 13 of the planning application and listed building decisions were dismissed (52%) and 12 allowed (48%). It is unfortunate that this percentage is lower however some of the site's which have had permission granted at appeal have been the subject of multiple appeals which to a degree skews the results. Whilst some of the decisions are disappointing, it is not felt by officers that they cause significant harm to the application of planning policy across the district or good decision making.
- 2.6 Two enforcement appeals decisions have been received, both of which have been dismissed. These relate to long-running enforcement matters which have been resolved to the favour of the local authority. Officers will proactively monitor the compliance period in respect of both of these sites and seek to take appropriate action if required. The North and South Planning Committee's will be updated monthly, via the enforcement reports, on these cases.
- 2.7 Three cost decisions have been received. In respect of one appeal both the appellant and local planning authority failed to secure costs against the other party. With regards to the third site, The Great House Orford, the Inspector found fault against the Council in that they did not have due regard to a previous permission for a similar scheme at the site in reaching a decision and this resulted in award of costs against the Council. This application was determined by the Planning Committee South and refused contrary to officer recommendation. Members will note that permission has also been given to the proposed development.
- 2.8 There are no areas of concern raised in any of the appeals, though it is noted that some lessons could be learnt and these are included in the summaries. In particular, it is important to have due regard to previous decisions and also when referring to emerging policy the Inspector is furnished with appropriate detail over these policies (including the level of objection) so that appropriate weight can be afforded.

**3 REASON FOR RECOMMENDATION**

3.1 This report is for information only.

<b>RECOMMENDATION</b>
That the content of the report is noted.

<b>APPENDICES</b>	
<b>Appendix A</b>	<b>Summary of Appeals</b>

<b>BACKGROUND PAPERS - None</b>
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## Appeal reporting

The following appeals have been received between 22 November 2019 to 21 February 2020. The full reports are available on the Council's website using the unique application reference.

### Appeals relating to Planning, Listed Building and Advertisement Applications

Application Number	DC/18/3623/FUL
Appeal Number	APP/J3530/W/19/3229396
Site	Eureka, Cliff Road, Waldringfield IP12 4QL
Description of Development	Demolition of existing dwelling and outbuildings, erection of three houses and one bungalow and alterations to existing access.
Committee / Delegated	Application refused at committee (22 March 2019) contrary to officer recommendation to approve.
Decision Date	22 November 2019
Appeal Decision	Allowed
Main Issues	The main issue is the effect of the proposed development on the character of the Area of Outstanding Natural Beauty (AONB).
Summary of Decision	<ul style="list-style-type: none"> <li>Inspector gave great weight to the need to conserve and enhance landscape and scenic beauty in the AONB in determining this appeal.</li> <li>The additional fourth dwelling would not be a prominent feature when viewed from neighbouring properties due to its limited height.</li> <li>While the proposal would result in a more constrained form of development than on some surrounding plots, the proposed development would have a limited visual impact when seen from the public highway or neighbouring properties.</li> <li>The effect on the character of the AONB would not be harmful due to the limited visual impact. The scale of the proposed development is therefore appropriate for this site, and it would not result in harm to the character of the AONB.</li> <li>Each of the four houses would have private garden space available, and a total of eight parking spaces would be provided. The development would provide vehicle turning space within the site for all the houses, and the Highways consultee has accepted that this would be sufficient for cars.</li> <li>With regard to larger vehicles such as delivery vans, the evidence demonstrates that sufficient turning space would be available within the site.</li> <li>The Highways consultee has not raised any objection to visibility at the access, and the development includes proposals to improve the footpath approaching the school from within Waldringfield. In addition, the site entrance is next to a speed bump. Accordingly, the proposed development would not result in harm to highway safety.</li> <li>The proposed development differs most significantly from the previously approved scheme in the introduction of an additional dwelling. As a one-bedroom dwelling, it is considered unlikely that the proposal would result in additional harmful disturbance to neighbouring occupiers.</li> </ul>

	<ul style="list-style-type: none"> <li>• The proposed development includes external oil tanks for each of the houses. No evidence has been provided that there is a significant prospect of these being a fire risk. While no evidence has been provided to demonstrate that oil delivery vehicles would be able to turn on site, such deliveries are only likely to take place on an occasional basis, and it is therefore not considered that this would represent a significant risk to highway safety. Similarly, access for emergency vehicles is only likely to be required rarely, and the Building Regulations specify necessary measures to be included in residential development if site access for fire appliances is restricted.</li> <li>• While the proposed development would involve a more intensive use of the site, increasing the extent of hard surfacing. Given the relatively small scale of the site, and the benefits associated with providing additional housing, refusal of permission is not warranted.</li> </ul>
Learning Point / Actions	<ul style="list-style-type: none"> <li>• Planning permission was previously granted for three detached houses on this site. That was the main consideration in the determination of the appeal.</li> <li>• The replacement of a single storey cart lodge/storage structure with a similar scale single storey dwelling was ultimately not considered to represent an over intensification of the site or result in a development that would cause an unacceptable degree of harm to highway safety, residential amenity or the character of the immediate and surrounding area.</li> <li>• Advice provided by the highway authority should be given a higher degree of weight when judging the planning acceptability of proposals on highways grounds. The NPPF (para.109) makes clear that <i>'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'</i>.</li> <li>• While no appeal for costs was submitted by the applicant, the modest differences of the proposal from that already permitted may well have presented the applicant with an increased likelihood of being awarded costs, if such an appeal had been made. The risk of costs being awarded to applicants should therefore be given greater consideration by decision takers prior to the determination of applications that are substantially similar to development already permitted.</li> </ul>

Site	Low Grange Farm, Long Lane, Heveningham, Halesworth IP19 0EF
Description of Development	Retention of residential mobile home
Committee / Delegated	Delegated
Decision Date	22 November 2019
Appeal Decision	Allowed
Main Issues	<p>It was common ground between the main parties that the development conflicts with the Council's development plan policies with respect to the isolated location of the development.</p> <p>The main issue was whether the personal circumstances of the applicant outweighed this conflict with policy</p>
Summary of Decision	<ul style="list-style-type: none"> <li>- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.</li> <li>- The inspector considered that evidence provided relating to the health of the appellant's 360 who occupies the dwelling was detailed and</li> </ul>

	<p>compelling and considered that I was clear from this evidence that this specific site fulfils particular needs of the occupant in relation to his health and is imperative for his well-being.</p> <ul style="list-style-type: none"> <li>- The inspector had due regard to Article 8 of the of the First Protocol to the Convention, as incorporated by the Human Rights Act 1998 and concluded that the dismissal of the appeal would amount to a grave interference with his Article 8 rights and attached significant weight to this point.</li> <li>- Regard was given to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010 which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Since the appeal is made for the use of the occupant who has a particular health condition, it is for a person who shares a protected characteristic for the purposes of the PSED.</li> <li>- The inspector concluded that in this particular case that these material considerations outweigh the development plan conflict given the limited harm that would arise.</li> </ul>
Learning Point / Actions	<ul style="list-style-type: none"> <li>- Although personal circumstances are generally given very limited weight in planning decisions it is interesting that such significant weight was given to them in this case based on the Human Rights Act 1998 and the Equality Act 2010.</li> </ul>

Application Number	DC/19/1605/FUL
Appeal Number	APP/T3535/W/19/3235344
Site	35/37 Ferry Road, Southwold IP18 6HQ
Description of Development	Demolition of the existing single family dwelling and residential annexe at 35-37 Ferry Road Southwold and construction of a replacement two storey 3 bedroom family dwelling.
Committee / Delegated	Delegated
Decision Date	22 November 2019
Appeal Decision	Dismissed
Main Issues	<ul style="list-style-type: none"> <li>• The effect on the character and appearance of the site and surrounding area with particular regard to the effect on the Southwold Conservation Area (CA); and,</li> <li>• Whether the proposed development would be of an appropriate size and scale for its countryside setting.</li> </ul>
Summary of Decision	<p>The site is located within the Conservation Area, AONB, and also outside of the settlement boundary for Southwold. Whilst the new dwelling was narrower than the existing development, it had an increased height, which would create one of the widest and tallest dwelling in the immediate vicinity. The inspector concluded that the proposed dwelling would, as a result of its height, width and proximity to the front boundary of the plot and its front gables be an incongruous and dominant feature of the street scene. The development would therefore fail to preserve or enhance the character of the CA.</p> <p>Furthermore, the inspector concluded that the size of the proposed development as a result of its height and width would therefore result in a replacement dwelling of inappropriate size and scale in this countryside location. It would be harmful to its character, and contrary to the requirements of LP policy WLP8.9 which requires that such developments be sensitive to their countryside setting.</p>
Learning Point / Actions	The inspector gave weight to the dominance of a new building in the street scene of a conservation area were several dwellings have been recently re-developed.



	Also where no additional harm arises this should be seen as a neutral point in determining the application.
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Application Number	DC/19/1461/FUL
Appeal Number	APP/X3540/W/19/3232531
Site	Hill Farm Cottage, Englishes Lane, Ilketshall St John, Beccles NR34 8JE
Description of Development	Sub-division of existing residential property including conversion of existing outbuilding to form a separate dwelling
Committee / Delegated	Delegated
Decision Date	25 November 2019
Appeal Decision	Allowed
Main Issues	Whether the site represents sustainable development in respect to its isolated location in the countryside.
Summary of Decision	<ul style="list-style-type: none"> <li>- The inspector considered the proposal against paragraph 79 (d) of the NPPF which allows the subdivision of dwellings in the countryside. It was concluded that as this proposal related to the conversion of an outbuilding, which is considered to be incidental to the main dwelling and not a dwelling in its own right the proposal did not comply with criterion 79 (d).</li> <li>- The inspector then considered this against criterion 79 (c) which allows for the conversion of redundant buildings in the countryside of which Policy WLP8.11 of the LP relates to as this also allows for the conversion of rural buildings to residential subject to certain criteria such as that they must be locally distinctive and of architectural merit.</li> <li>- The inspector concluded that this additional requirement of policy WLP8.11 was more restrictive than the Framework which allows for isolated homes in the countryside where the development would re-use a redundant or disused building and enhance its immediate setting and gave the policy limited weight.</li> <li>- The inspector concluded that the building was redundant as the property had been extended to provide a carport making the garage redundant.</li> <li>- Although this is a modern building of 1980's character the inspector considered that the building contributed positively to the rural character of the area through use of vernacular materials and therefore is of some architectural merit.</li> <li>- The inspector also considered that the removal of a non-native species hedge represented an enhancement to its immediate setting.</li> <li>- Limited weight was given to the isolated location as this was a small dwelling and would generate limited trips.</li> <li>- The appeal was allowed due to compliance with Paragraph 79 (c). Policy WLP8.11 was given lesser weight due to its conflict with the framework</li> </ul>
Learning Point / Actions	<ul style="list-style-type: none"> <li>- It was surprising that the inspector considered that a policy in a very recently adopted Local Plan could be considered in conflict with the Framework when it had recently been through the examination process.</li> <li>- That the removal of a non-native species hedge would be enough to meet the test of enhancing the immediate setting.</li> <li>- Limited weight was given to the reliance on car travel due to the small scale of the unit.</li> </ul>

Application Number	DC/19/0587/FUL
Appeal Number	APP/J3530/W/19/3228047
Site	13 Ipswich Road, Newbourne, IP12 4NS

Description of Development	Erection of 2 new 1.5 storey dwellings in place of former piggery building with existing prior approval to be converted to two dwellings
Committee / Delegated	Delegated
Decision Date	28 November 2019
Appeal Decision	Dismissed
Main Issues	<ul style="list-style-type: none"> <li>• whether the development is in an appropriate location, with particular regard to the adopted development plan settlement hierarchy and access to services and facilities;</li> <li>• the effect of the development on the character and appearance of the area;</li> <li>• living conditions, with specific regard to the privacy of occupiers of neighbouring properties.</li> </ul>
Summary of Decision	<p>The Inspector went into detail about the sustainability of Newbourne and concluded that it was not a suitable location for new residential dwellings. 'The existence of other dwellings with poor access to shops, services, community facilities and transport choices other than the private car should not be used to justify further unsustainable development' finding the principle of development contrary to both local and national policies.</p> <p>With regards to the appearance of the buildings the Inspector put a high emphasis on the character density of the area and found the scheme would result in a more densely built-up residential frontage to this part of the village. Where a hedge row had been proposed by the appellant the inspector stated 'I do not consider the screening of a development by landscaping to be a sound basis upon which to justify an otherwise harmful visual impact as this could be repeated too easily and often for all forms of poor quality development.'</p> <p>The Inspector found in favour of the appellant with regards to the impact on residential amenity.</p> <p>Little weight was placed on the approved prior notification with the inspector stating 'The appellant has referred to a previous scheme granted prior approval for the conversion of the existing piggery building to 2 residential dwellings and that the proposed development has a similar overall footprint. However, whilst I consider it highly likely that the previous scheme would be implemented if the current appeal is dismissed, and have given this substantial weight in my assessment, the proposed development would be of a much greater volume and height, and much closer to the road. The fallback position is therefore materially different from the scheme before me and does not therefore justify its approval. In any event, the proposed scheme would in my view be more harmful than the fallback scheme in terms of its overall impact on the character of the area'</p>
Learning Point / Actions	The prior approval for conversion of an agricultural building is not a 'blanket yes' for any residential building on the site.

Application Number	DC/18/1306/FUL and DC/18/1307/LBC
Appeal Number	APP/J3530/W/18/3217588 and APP/J3530/Y/18/3217589
Site	1 Frogmore Cottages, Hall Road, Burgh, IP13 6JN
Description of Development	Erection of two storey extension comprising extension of gable end and insertion of first floor and roof extension over existing kitchen. Installation of flue pipe within extended building. Erection of single storey rear extension providing utility accommodation.
Committee / Delegated	Delegated
Decision Date	28 November 2019
Appeal Decision	Allowed
Main Issues	Will the extension have an impact on the listed building and its setting, the appeal decision does not go into detail of how the proposal will not harm the setting of the listed building, or what this setting is. The appeal decision does not

	explain how the extension will not dominate the rear of the host dwelling when it is going to be as tall as it.
Summary of Decision	It has been summarised in the appeal decision (in short) that there is no effect on the listed building and that the proposal is in conformity with the current and emerging policies.
Learning Point / Actions	Will need to go into further detail when stating what the setting of a listed building is.

Application Number	DC/19/2259/FUL
Appeal Number	APP/X3540/W/19/3236489
Site	4 Britten Close, Aldeburgh IP15 5HS
Description of Development	Alterations/extensions to flats 2 and 4, first floor extensions to create an additional flat.
Committee / Delegated	Delegated
Decision Date	29 November 2019
Appeal Decision	Dismissed
Main Issues	The effect of the proposal on the character and appearance of the area and the living conditions of the neighbouring properties Nos 5, 7, 9, 10, 12 and 14 Britten Close with particular reference to outlook.
Summary of Decision	The height and mass of the development will be incongruous with the surrounding built environment typified by two-storey rather than three-storey dwellings and separated by landscaping. The proposal would result in a visually cramped development due to its' extended width and reduced amenity space. The proposal is contrary to Policy DM21 of the Suffolk Coastal District Local Plan. Due to the close proximity of the proposal to Nos 5, 7, 9, 10, 12 and 14 Britten Close, the cumulative effects of the development, including the reduced amenity space, would create a sense of enclosure that would cause harm to the outlook and living conditions of the neighbouring occupants due to its overbearing scale and mass in this already tight-knit location. The proposal is contrary to Policy SP22 which says that development should not result in 'town cramming' and retain the sensitive environment generally.
Learning Point / Actions	n/a

Application Number	DC/18/3002/FUL
Appeal Number	APP/J3530/W/19/3227483
Site	1 Wood Barn Place, Seckford Hall Road, Great Bealings
Description of Development	Demolition of Barn A, Erection of single dwelling (revised siting of 'Plot 2' approved under DC/13/3360/FUL) with garage/cart lodge in part conversion of Barn B incorporation of former Plot 2 site, into garden curtilage of Plot 1".
Committee / Delegated	Delegated.
Decision Date	05 December 2019
Appeal Decision	Dismissed.
Main Issues	The main issue was the effect of the proposed development on the character and appearance of the area.
Summary of Decision	The approved re-development at Wood Barn was judged to form a relatively tight cluster, whereas the proposed dwelling would be detached from that group. Because of that separation, there would be a significant extension of residential development out into the countryside which would be prominent from the adjacent public right of way. The proposal was judged to be harmful to the character and appearance of the countryside, contrary to DM3 and DM21 of the Core Strategy, and BE1 of the Gt Bealings Neighbourhood Plan.
Learning Point / Actions	The appellant claimed that an environmental benefit of the scheme would be the use of a disused site that would otherwise be left to degrade further, to the detriment of the character and appearance of the area. However, the Inspector identified that this would not be a sound basis upon which to justify an otherwise

	harmful scheme as this could be repeated too easily and often for all forms of poor quality development and might otherwise encourage other land/property owners to carry out insufficient routine maintenance, in order to secure planning permission. A useful conclusion that can be referred back to in decision-taking.
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Application Number	DC/18/4261/FUL
Appeal Number	APP/J3530/W/19/3224515
Site	The Old Cottage, Blacklands Lane, Sudbourne IP12 2AX
Description of Development	Subdivision of existing site to form two residential plots, including retention of existing dwelling. Erection of new dwelling including associated external works. New drive to form access point from highway.
Committee / Delegated	Delegated
Decision Date	11 December 2019
Appeal Decision	Dismissed
Main Issues	<p>a) the effect of the proposed dwelling on the character and appearance of the area with particular regard to its location for housing, and the accessibility of services and facilities;</p> <p>b) whether the proposal would preserve the special architectural or historic interest of the existing listed building or its setting;</p> <p>c) the effect of the proposals on the Sandlings Special Protection Area (SPA);</p> <p>d) highway safety.</p>
Summary of Decision	<p>On the first issue, the planning inspector did find that the scheme would be contrary to CS Policies SP1, SP19, SP28, SP29 and DM3 which aim for sustainable development, identify a settlement hierarchy, strictly control new housing in other villages, and strictly limit new housing in what it defines as countryside however did consider that there were benefits of a windfall in the heart of a settlement which would support nearby services. The inspector also considered that the applicant's personal situation was a material considerations which weighed in its favour.</p> <p>The inspector found that the proposed division of the garden would retain reasonably generous amenity land for both dwellings, whether in relation to the requirements of future occupiers or the setting of the listed building. The proposed dwelling would rise up away from the cottage at a low pitch from a new boundary wall so that the roof would generally be out of sight. Although close to the side of the Old Cottage, the gap would be only slightly less than the existing separation on the other side and as such did not find the separation of land and addition of a new dwelling to be unacceptable, however it was found that the position of the dwelling in the plot and the overall design, particularly of the front wall result in a substantial feature on a line in front of the Old Cottage. The proposal would reduce its sense of importance and dominance in the street scene and detract from the listed buildings features, including the small window in the gable end, which would otherwise become more apparent with the removal of some of the hedge for the new drive as such would cause harm to the significance of the listed building.</p> <p>Whilst an upfront payment was made for RAMS the Inspectorate did not consider this was adequate as there is insufficient guarantee that the payment would be used for its intended purpose.</p> <p>Whilst the inspector accepted the risk to the highways it was concluded that was acceptable.</p>
Learning Point / Actions	The Inspector offered some weight to the personal circumstances of the applicant which could cause potential issues in the future.

Application Number	DC/18/1198/FUL
Appeal Number	APP/T3535/W/19/3229919
Site	20 Church Road, Kessingland, Lowestoft, Suffolk, NR33 7TQ
Description of Development	Erection of three no. two-bedroom bungalows
Committee / Delegated	Delegated
Decision Date	18 December 2019
Appeal Decision	Dismissed
Main Issues	Living conditions, with specific regard to whether the access road would result in noise and disturbance to neighbouring occupiers at Nos 20 and 22 Church Road and the character and appearance of the area, with specific regard to layout and scale.
Summary of Decision	<p>The proposal would conflict with Policy WLP8.29 of the Local Plan and Policy H2 of the Neighbourhood Plan as the occupiers of Nos 20 and 22 Church Road would experience unacceptable living conditions in terms of noise and disturbance from vehicular comings and goings utilising the private access road.</p> <p>However, the development would not be harmful to the character and appearance of the area and in this respect the proposal would accord with Policies WLP8.29 and WLP8.33 of the Local Plan and Policy H2 of the Neighbourhood Plan.</p>
Learning Point / Actions	Backland development is not necessarily uncharacteristic but is unlikely to be acceptable when the access is alongside and close to existing dwellings. Each case should be considered on its merits.

Application Number	DC/19/0133/FUL
Appeal Number	APP/J3530/W/19/3228198
Site	Carlton Meres Country Park, Carlton Lane, Carlton, Saxmundham, IP17 2QP
Description of Development	Use of land for the stationing of static holiday caravans for holiday occupation between 1st March in any year and 14th February in the next.
Committee / Delegated	Delegated
Decision Date	7 January 2020
Appeal Decision	Allowed
Main Issues	The main issue was whether the extended length of holiday season would be appropriate.
Summary of Decision	The site was restricted to allow occupancy of the tourism units for the 10 months of the year, resulting in an 8-week shutdown period. The Inspector held that varying the condition to allow for a 11-and-a-half month occupancy period, and a resultant 2-week shutdown period, would be acceptable with particular regard to the existing site restrictions as a fallback position.
Learning Point / Actions	The Inspector considered that the wording of policy DM18 meant that the 56-day occupancy restriction should normally be applied, but that it was not a blanket rule for all cases. Given the fallback position, the Inspector felt that the extended occupancy would be acceptable, and not lead to permanent residences. On that basis, the Inspector felt the proposal was in accordance with DM18 despite the varied occupancy period being significantly greater than the usual 56-day restriction.

Application Number	DC/18/4850/OUT
Appeal Number	APP/J3530/W/19/3233271
Site	Appletree Cottage, Woodbridge Road, Debach, Woodbridge IP13 6BY

Description of Development	A development of six affordable dwellings and a service/access road.
Committee / Delegated	Delegated
Decision Date	7 January 2020
Appeal Decision	Dismissed
Main Issues	<p>The Inspector identified the main issues as</p> <ul style="list-style-type: none"> <li>- Whether the site is a suitable location for housing having regard to development plan and national planning policies, and</li> <li>- The effect of the proposal on European Designated Sites.</li> </ul> <p>The latter of these issues was resolved during the appeal process through the submission of the RAMS financial contributions and Section 111 form.</p>
Summary of Decision	<p>The application sought Outline Planning Permission for six affordable dwellings and a service/access road, with 'appearance' and 'landscaping' reserved for future consideration. The land is located to the north-west of Apple Tree Cottage, to the north of Woodbridge Road, Debach, within an area defined as countryside in terms of planning policy.</p> <p>In terms of considering the suitability of the site for housing, the Inspector gave significant weight to Policy DM1, highlighting that this policy:</p> <ul style="list-style-type: none"> <li>- allows for small residential development which meets a particular local need for affordable housing and abuts or is well related to the physical limits boundary of a Market Town, Key Service centre or Local Service Centre, or within an 'Other Village' where its scale is in keeping with its setting,</li> <li>- requires that such provision will be considered in relation to, amongst other things, the scale and character of the settlement and the availability of services and facilities, and</li> <li>- that the local need for affordable housing shall first have been quantified within an area to be agreed by the Local Planning Authority.</li> </ul> <p>The Inspector also highlighted that this policy and SP19 are in general conformity with the aims of Framework that seek to 'conserve and enhance the natural environment and intrinsic character and beauty of the countryside, and to promote sustainable development in rural areas.</p> <p>The Inspector acknowledged that there are employment opportunities in the nearby area, but there are no services and facilities to cater for day to day needs of future occupiers of the site, and that the nearest settlements with a range of facilities to cater for such needs are some distance away.</p> <p>The Inspector was also of the view that the nature of the local roads, with their lack of lighting and footways, vehicular speeds and the distances involved would deter pedestrians and cyclists, particularly after dark, with children or during inclement weather, so residents would be heavily reliant upon the private motor car. The inspector gave little weight to the availability of rural footpaths, as they are unpaved, unlit and could be difficult to use during poor weather. The distance to the bus stop and the infrequency of the bus service would also mean that there was little evidence to suggest public transport would provide a realist alternative to the use of the private car.</p> <p>The Inspector also concluded that the development would not contribute meaningfully to the vitality of local villages, and that its scale would not be in keeping in terms of its scale in relation to the character of the settlement. It was therefore contrary to para 78 of the NPPF as well as Policy DM1.</p>

	<p>The Inspector assessed the submitted 'evidence' relating to need for affordable housing, acknowledging the 2017 Housing Needs Survey which identified a need for three affordable and two open market dwellings, of a size, type and tenure to be agreed with the Parish Council, Local Authority and appointed Registered Provider. There was no evidence before the Inspector that these bodies had been contacted by the appellant.</p> <p>The Inspector also reviewed the 'evidence' submitted by the appellants of the need for affordable housing, concluding that the evidence demonstrated a need within the District, but not specific to this locality, and that there was no evidence that those willing to occupy the houses within the representations of support, would fulfil the requirements for affordable housing or that the type of accommodation proposed would meet there needs.</p> <p>The Inspector also noted that no legal agreement to secure the tenure had been submitted with the appeal.</p> <p>The Inspector also confirmed that this proposal would not meet the definition of a cluster, not only because of the number of units, but also its distance from the nearest physical limits boundary and the fact it is at the end of the group of existing dwellings rather than within it.</p>
Learning Point / Actions	<p>This decision confirms the Local Planning Authorities application of the cluster policy (existing and emerging), in that a site must be within the group i.e. between existing dwellings, not at the end of a group of dwellings.</p> <p>It also confirms the Local Planning Authorities approach to only allowing for affordable housing exception sites, in locations that are well related to settlements with services and facilities meeting day to day needs of future occupiers, and where a local need has been demonstrated for the size and tenure of units proposed. It also makes reference to the relevant policies within the NPPF, which confirm this approach.</p>

Application Number	DC/18/2642/CLE
Appeal Number	APP/J3530/X/18/3216462
Site	Unit 11, Haven Exchange, Walton Avenue, Felixstowe IP11 2QZ
Description of Development	Application for lawful development certificate – Use of site has distribution centre
Committee / Delegated	Delegated
Decision Date	17 January 2020
Appeal Decision	Dismissed
Main Issues	The decision rests on the facts of the case not the planning merits. The principal question is whether material operations sufficient to start development of the approved distribution centre began within the time limit set out in the planning permission.
Summary of Decision	<p>The site is part of an allocated employment site close to Felixstowe Port. It is at the end of the estate road serving a number of office buildings, a fast food restaurant and a retail store. The site is undeveloped and overgrown and has been the subject of a number of applications.</p> <p>The appellant argued that a material operation comprising the installation of a drainage pipe was carried out within the permitted timeframe for a reserved matters application granted for a distribution centre. As proof of their claim they referred to an Initial Notice under s.47 of the Building Act 1984.</p> <p>The Council claim this Building Notice related to a different development for which reserved matters had been consented, as the notice stated it relates to <i>'Office and retail development – Units 11, 12 and 13 Haven Exchange.'</i></p>

	<p>Furthermore the plan accompanying the Initial Notice showed the drain and two buildings labelled unit 12 and unit 13, which were clearly not the plan relating to the distribution centre.</p> <p>The Inspector found the appellants claim that this plan was used as an expedient, since it was the only one available in the short timeframe that gave relative ground levels, highly dubious.</p> <p>He considered the appellants evidence is far from precise and there is considerable ambiguity as to which scheme the drainage works relate, but that on the balance of probabilities they related to some other scheme, not the distribution centre.</p> <p>He found the Council's refusal to grant a certificate of lawful use or development was well founded and that the appeal should fail.</p>
Learning Point / Actions	n/a

Application Number	DC/19/2540/FUL
Appeal Number	APP/X3540/D/19/3239344
Site	Daphne Cottage, 55 High Street, Aldeburgh IP15 5AU
Description of Development	Remove hedge and small retaining wall which edges the pavement and replace with a proper surfaced area to park a normal sized family car.
Committee / Delegated	Delegated (13 August 2019)
Decision Date	21 January 2020
Appeal Decision	Dismissed
Main Issues	Impact upon the character of Aldeburgh Conservation Area and whether the proposal would preserve or enhance the character or appearance of the Aldeburgh Conservation Area (CA).
Summary of Decision	<p>The low wall and railings to the front boundary of the property provide a broadly consistent boundary treatment with the adjoining properties. Removal would affect the contribution of the consistent property boundary to the terrace and would diminish the cohesiveness of the frontage resulting in harm to the character and appearance of the CA.</p> <p>The appellant has indicated that the provision of a parking space in the front garden would provide a public benefit by reducing parking pressure in the town centre and allow for the provision of charging point to be installed and an electric car purchased. The inspector considered that the creation of a single space would make a very limited contribution to minimising parking pressure and whilst Policy DM21 indicates that Council will support and strongly encourage the use of renewable energy, even if a charging point were installed, the benefit of the purchase of an electric vehicle by the appellant is not a matter that could be secured through the planning process. As such, these benefits are afforded limited weight and are not sufficient to outweigh the harm identified to the significance of the CA.</p>
Learning Point / Actions	Significant weight is given to the preservation of the character and appearance of the conservation area.

Application Number	DC/18/3351/VLA
Appeal Number	APP/X3540/Q/19/3239212
Site	Pitfield, Butchers Road, Kelsale cum Carlton, Suffolk IP17 2PG
Description of Development	Variation of Legal Agreement to remove S106 Legal Agreement attached to planning permission C/04/0200 - Conversion of disused stable building & store to holiday let - The Vineyard, Kelsale
Committee / Delegated	Delegated
Decision Date	22 January 2020
Appeal Decision	Allowed – Planning Obligation Discharged



Main Issues	<p>This appeal is interconnected with the two other appeals relating to Pitfield set out below (APP/X3540/W/19/3239184 and APP/X3540/W/19/3239185).</p> <p>This appeal related to a Planning Obligation (a s106) relating to a building known as The Vineyard, which was completed as part of Planning Permission C/04/0200/FUL. That obligation restricted the use/occupation of the unit to be solely for holiday purposes, stating:</p> <ol style="list-style-type: none"> <li>(1) <i>"The Building shall not be used for any residential purpose other than the provision of accommodation for holiday lettings</i></li> <li>(2) <i>Unless otherwise approved by the Council in writing in advance the Building shall not be let to any person (or to any group of persons staying in the Building as a family or party) for any period longer than ninety days in any calendar year but this stipulation shall not be applied to prevent the letting of the building to a series of guests or holiday residents through the calendar year</i></li> <li>(3) <i>At the time when the building has been converted sufficiently that it may be advertised as being available for holiday lettings they will notify the Council in writing (citing reference C07/0200) of that fact"</i></li> </ol> <p>There was also a previously dismissed appeal related to the occupancy restriction condition on the associated planning permission (reference DC/17/5077/FUL , APP/J3530/W/18/3209977, issued 23 April 2019). In the determination of that appeal, the Inspector considered the main issue to be whether the site is a suitable location for a C3 use having regard to Local Plan Policies, and they concluded that it was not a suitable location for a C3 use having regard to local plan policies, and commented on the distance from local services and facilities, in Saxmundham and the potential deterrent to pedestrians of the unlit nature of routes, the distances and the vehicular speeds of intervening roads, leading to residents relying heavily on the private car to meet their day to day needs.</p> <p>Officers referred to the previous appeal decision during the determination of the application which was the subject of the more recent appeal relating to the variation of the Planning Obligation, and ensured that it was also highlighted to the Inspector as part of the Local Planning Authorities Statement of Case.</p> <p>However, in reaching their decision in relation to the appeal on the Planning Obligation, and the associated appeals relating to the variation of Condition applications, the Inspector considered that the main issue was</p> <p style="text-align: center;"><i>"whether or not the conditions and planning obligation are necessary, having regard to the viability of holiday accommodation, relevant planning policies and other material considerations."</i></p> <p>Therefore, the recent Inspector identified a different main consideration to that identified by the Inspector in connection with the previous appeal.</p> <p>Although not cited as a main consideration, within the decision, the recent Inspector also states that :</p> <p style="text-align: center;"><i>"The proposal would not amount to development because the proposed use would be within the same use class as the existing use.<sup>1</sup> However I shall examine whether the development plan policies referred to by the Council justify the conditions and planning obligation that are in dispute."</i></p> <p>Contrary to the previous Inspector, in determining the three most recent appeals, the Inspector concluded that whilst occupants would be reliant upon the car for</p>
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	<p>transport to facilities, other modes of transport are available, and a residential use would have a “<i>reasonably good level of accessibility to services and facilities.</i>”</p> <p>The Inspector also considered that there was no policy justification for the retention of the holiday let. The submission of the draft Local Plan (including the specific policy within it relating to retaining tourist accommodation) was highlighted to the Inspector within the statement from the Local Planning Authority. However, due to the status of the Local Plan at the time the Inspector concluded they could give the policy limited weight.</p>
Summary of Decision	<p>This appeal was allowed, resulting in the Planning Obligation being discharged, which means that the occupancy restriction within the Legal Agreement is no longer applicable, so the holiday unit can be occupied as a dwellinghouse without any occupancy restriction.</p>
Learning Point / Actions	<p>Strengthening the wording of Local Planning Policy in relation to holiday let retention in the countryside would provide greater strength when seeking to resist inappropriate proposals of this nature in the future.</p> <p>This is already in place for the former Waveney area though Policy WLP8.17 (Existing Tourist Accommodation) and is proposed with the introduction of policy SCLP6.6 (Existing Tourist Accommodation) within the draft local plan for the former Suffolk Coastal Area (which is the area in which this appeal site is located).</p> <p>Both policies contain similar wording which is:</p> <p><i>“Existing tourism accommodation will be protected. Change of use will only be considered in exceptional circumstances where it can be fully and satisfactorily demonstrated that there is no demand for the tourist accommodation. Marketing evidence must be provided which demonstrates the premises have been marketed for a sustained period of a minimum of 12 months in accordance with the requirements set out in Appendix 4/E.”</i></p>

Application Number	DC/18/3235/ROC
Appeal Number	APP/X3540/W/19/3239184
Site	Pitfield, Butchers Road, Kelsale cum Carlton, Suffolk IP17 2PG
Description of Development	Removal of Condition 4 - C04/0200/FUL Date of Decision: 25/08/2005
Committee / Delegated	Delegated
Decision Date	22 January 2020
Appeal Decision	Allowed
Main Issues	<p>This appeal is interlinked with the two appeals that are summarised above and below (APP/X3540/Q/19/3239212 and APP/X3540/W/19/3239185).</p> <p>This appeal related to the removal of condition 4 from planning permission C/04/0200/FUL, which permitted the use of a stable building and store to a holiday let. The condition in question stated:</p> <p><i>“The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons of any of the units shall not exceed a period of 90 days in any calendar year, unless otherwise agreed in writing by the local planning authority.</i></p> <p><i>Reason: Having regard to planning policies, the size of units, communal land etc, the units are not suitable for permanent residential occupation.”</i></p>

	<p>There was also a previously dismissed appeal related to the occupancy restriction condition on the planning permission (reference DC/17/5077/FUL , APP/J3530/W/18/3209977, issued 23 April 2019). In the determination of that appeal, the Inspector considered the main issue to be whether the site is a suitable location for a C3 use having regard to Local Plan Policies, and they concluded that it was not a suitable location for a C3 use having regard to local plan policies, and commented on the distance from local services and facilities, in Saxmundham and the potential deterrent to pedestrians of the unlit nature of routes, the distances and the vehicular speeds of intervening roads, leading to residents relying heavily on the private car to meet their day to day needs.</p> <p>Officers referred to the previous appeal decision during the determination of the application which was the subject of the more recent appeal relating to the variation of the Planning Obligation, and ensured that it was also highlighted to the Inspector as part of the Local Planning Authorities Statement of Case.</p> <p>However, in reaching their decision in relation to the appeal on the Planning Obligation, and the associated appeals relating to the variation of Condition applications, the Inspector considered that the main issue was:</p> <p><i>“whether or not the conditions and planning obligation are necessary, having regard to the viability of holiday accommodation, relevant planning policies and other material considerations.”</i></p> <p>Therefore, the recent Inspector identified a different main consideration to that identified by the Inspector in connection with the previous appeal.</p> <p>Although not cited as a main consideration, within the decision, the recent Inspector also states that:</p> <p><i>“The proposal would not amount to development because the proposed use would be within the same use class as the existing use.<sup>1</sup> However I shall examine whether the development plan policies referred to by the Council justify the conditions and planning obligation that are in dispute.”</i></p> <p>Contrary to the previous Inspector, in determining the three most recent appeals, the Inspector concluded that whilst occupants would be reliant upon the car for transport to facilities, other modes of transport are available, and a residential use would have a <i>“reasonably good level of accessibility to services and facilities.”</i></p> <p>The Inspector also considered that there was no policy justification for the retention of the holiday let. The submission of the draft Local Plan (including the specific policy within it relating to retaining tourist accommodation) was highlighted to the Inspector within the statement from the Local Planning Authority. However, due to the status of the Local Plan at the time the Inspector concluded they could give the policy limited weight.</p>
Summary of Decision	This appeal was allowed, resulting in the occupancy condition being removed, so the holiday unit can be occupied as a normal dwellinghouse without any occupancy restriction.
Learning Point / Actions	As per appeal above

Application Number	DC/18/3236/ROC
Appeal Number	APP/X3540/W/19/3239185
Site	Pitfield, Butchers Road, 48, Elsale cum Carlton, Suffolk IP17 2PG

Description of Development	Removal of conditions 2 and 6: C/10/1601 - Erection of link building and conversion of barn to provide expansion of an existing holiday let, together with other associated works. Date of Decision: 08/09/2010
Committee / Delegated	Delegated (8 May 2019)
Decision Date	22 January 2020
Appeal Decision	Allowed
Main Issues	<p>This appeal is interlinked within the two appeals that are summarised above (APP/X3540/Q/19/3239212 and APP/X3540/W/19/3239184).</p> <p>This appeal related to the removal of conditions 2 and , which stated that:</p> <p><i>“2. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of the holiday unit shall not exceed a period of 90 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.</i></p> <p><i>The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.</i></p> <p><i>Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development”</i></p> <p>And</p> <p><i>“6. The holiday accommodation approved under planning permission C04/0200/FUL and the building hereby approved to be converted and extended shall form one unit of holiday accommodation only.</i></p> <p><i>Reason: For the avoidance of doubt as to what has been considered and approved.”</i></p> <p>There was also a previously dismissed appeal related to the occupancy restriction condition on the planning permission (reference DC/17/5077/FUL , APP/J3530/W/18/3209977, issued 23 April 2019). In the determination of that appeal, the Inspector considered the main issue to be whether the site is a suitable location for a C3 use having regard to Local Plan Policies, and they concluded that it was not a suitable location for a C3 use having regard to local plan policies, and commented on the distance from local services and facilities, in Saxmundham and the potential deterrent to pedestrians of the unlit nature of routes, the distances and the vehicular speeds of intervening roads, leading to residents relying heavily on the private car to meet their day to day needs.</p> <p>Officers referred to the previous appeal decision during the determination of the application which was the subject of the more recent appeal relating to the variation of the Planning Obligation, and ensured that it was also highlighted to the Inspector as part of the Local Planning Authorities Statement of Case.</p> <p>However, in reaching their decision in relation to the appeal on the Planning Obligation, and the associated appeals relating to the variation of Condition applications, the Inspector considered that the main issue was:</p>

	<p><i>“whether or not the conditions and planning obligation are necessary, having regard to the viability of holiday accommodation, relevant planning policies and other material considerations.”</i></p> <p>Therefore, the recent Inspector identified a different main consideration to that identified by the Inspector in connection with the previous appeal.</p> <p>Although not cited as a main consideration, within the decision, the recent Inspector also states that:</p> <p><i>“The proposal would not amount to development because the proposed use would be within the same use class as the existing use.<sup>1</sup> However I shall examine whether the development plan policies referred to by the Council justify the conditions and planning obligation that are in dispute.”</i></p> <p>Contrary to the previous Inspector, in determining the three most recent appeals, the Inspector concluded that whilst occupants would be reliant upon the car for transport to facilities, other modes of transport are available, and a residential use would have a <i>“reasonably good level of accessibility to services and facilities.”</i></p> <p>The Inspector also considered that there was no policy justification for the retention of the holiday let. The submission of the draft Local Plan (including the specific policy within it relating to retaining tourist accommodation) was highlighted to the Inspector within the statement from the Local Planning Authority. However, due to the status of the Local Plan at the time the Inspector concluded they could give the policy limited weight.</p>
Summary of Decision	This appeal was allowed, resulting in the occupancy condition being removed, so the holiday unit can be occupied as a normal dwellinghouse without any occupancy restriction.
Learning Point / Actions	As per appeal above

Application Number	DC/19/2027/FUL
Appeal Number	APP/X3540/W/19/3237530
Site	Agricultural building south of Lime Tree Barn, Lime Tree Farm Lane, Marlesford, Suffolk IP13 0AE
Description of Development	The development proposed is change from agricultural use (grain store) to light industrial use – occupiers propose to use building to fabricate replica gypsy/shepherds huts and garden rooms. Activity limited to part time and hobby basis.
Committee / Delegated	Delegated
Decision Date	3 February 2020
Appeal Decision	Allowed with conditions
Main Issues	The main issue was whether the light industrial use of the building is appropriate with regard to its accessibility to a sustainable settlement.
Summary of Decision	<p>The Inspector identified that:</p> <ul style="list-style-type: none"> <li>• The development has brought into use a redundant building and has therefore provided an economic benefit to the rural economy;</li> <li>• No external changes to the building are proposed, which has minimised the environmental impact of the development, and the modest scale of the business is sensitive to its surroundings; and</li> </ul>

	<ul style="list-style-type: none"> <li>The light industrial use of the building is appropriate with regard to its accessibility to a sustainable settlement. The development therefore accords with Policy DM13 of the Local Plan.</li> </ul>
Learning Point / Actions	The Council raised concerns that the light industrial use of the building could become more intensive, and therefore evolve from a B1 (light industrial use) to a B2 (general industrial use) that would harm wider amenity. The Parish Council raised concerns that breaches of planning control may occur in the future and that enforcement action may not be effective. The Inspector was clear that it was only the B1 use being applied for and, therefore, a future potential B2 use could not be considered in the appeal. This decision is a reminder that it is only the development being applied for that can be considered in decision-taking.

Application Number	DC/19/0188/VOC
Appeal Number	APP/X3540/W/19/3237328
Site	31 Kessingland Cottages, Rider Haggard Lane, Kessingland, Lowestoft, Suffolk, NR33 7RH
Description of Development	Variation of Condition No. 3 of W1326/31 – Construction of 16 holiday units (self catering) – Apply for change from restriction January 6 <sup>th</sup> to March 1 <sup>st</sup> to year round holiday use.
Committee / Delegated	Delegated
Decision Date	5 February
Appeal Decision	Allowed with conditions.
Main Issues	The main issue was whether the proposal would result in the loss of a self-catering tourism accommodation unit.
Summary of Decision	<p>The application sought all year round holiday use without complying with the restriction that there be no occupation between January 6<sup>th</sup> and March 1<sup>st</sup> in any year.</p> <p>Policy WLP8.15 states that <i>“New self catering tourist accommodation will be restricted by means of planning conditions or a legal agreement which permits holiday use only and restricts the period the accommodation can be occupied”</i>.</p> <p>Whilst unit 31 is not a new unit it was argued that the Policy applied to both existing and new units of holiday accommodation, otherwise it would allow newly permitted accommodation a route to re-apply to alter conditions that may restrict its occupation.</p> <p>The Inspector did not accept this argument as it is clear that Policy WLP8.15 applies to ‘new’ self-catering accommodation. Whilst the Inspector accepted that the Local Plan is geared towards protecting tourist accommodation, each application needs to be assessed on its own merits and the appeal site is clearly not ‘new’ having been granted planning permission over 40 years ago.</p> <p>Furthermore, the Inspector noted that the Council has accepted the removal of conditions that seek a similar aim at other sites and have replaced it with a condition restricting the use of the property as tourist accommodation.</p> <p>Furthermore, the general thrust of the Council’s argument to retain tourist accommodation is for the benefit of the tourism economy and restricting the use of the property as such would not be a benefit to the tourism economy as the property would be empty.</p>

Learning Point / Actions	A condition restricting use to holiday accommodation only and requiring the owner to maintain an up-to-date register of lettings is adequate to prevent residential use of existing units of tourism accommodation.
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Application Number	DC/19/2482/LBC
Appeal Number	APP/X3540/Y/19/3238095
Site	Pear Tree Farmhouse, Cratfield Road, Cookley, Suffolk, IP19 0LP
Description of Development	The proposal is to add a single storey garden room to the western gable end.
Committee / Delegated	Delegated
Decision Date	10 February 2020
Appeal Decision	Dismissed
Main Issues	The main issue in this case is whether the proposed works would preserve the Grade II listed building at Pear Tree Farmhouse or any features of special architectural or historic interest which it possesses.
Summary of Decision	<ul style="list-style-type: none"> <li>- In 2014 listed building consent was granted for a garden room in a similar contemporary style to this proposal, to be sited on the same side of the building but much further towards the rear.</li> <li>- The Inspector considered that the scale of the current proposal, at some 5.4m in width, would exceed that of the extension on the eastern side of the property. Given its position close to the main front wall of the building and despite the setback, it would appear unduly disproportionate to the scale of the main south elevation of the original dwelling.</li> <li>- Both the oversailing roof projection and the position of the timber platform forward of the main part of the building (which differ from the previous consent) would further increase the dominance of the extension.</li> <li>- The Inspector concluded that given its size and siting the extension would compete with and distract from the simpler form and character of the original building. Consequently, it would be unduly dominant and would overwhelm the modest character of the south, front elevation.</li> <li>- It was concluded then that the proposal would not result in public benefits sufficient to outweigh the harm that would be caused and failed the test of Paragraph 196 of the NPPF.</li> </ul>
Learning Point / Actions	<ul style="list-style-type: none"> <li>- Alterations and extension to dwelling houses rarely have any public benefit that will outweigh harm to a Heritage Asset and that the NPPF gives a great deal of weight to the protection of designated heritage assets.</li> </ul>

Application Number	DC/19/1539/LBC
Appeal Number	APP/X3540/Y/19/3235565
Site	The Great House, Church Street, Orford, Suffolk, IP12 2NT
Description of Development	Installation of gate in boundary wall.
Committee / Delegated	Committee
Decision Date	10 February 2020
Appeal Decision	Allowed
Main Issues	Impact of the insertion of a timber gate in the brick boundary wall.
Summary of Decision	The Inspector agreed with the Council that that the wall forms an “attractive and prominent feature in the street scene” and that “by reason of its age and appearance it contributes to the building’s significance”. However, they went on to state that the proposed gate would result in the loss of a very small section of the wall in the least prominent corner of the property and adjacent to an existing vehicular access to another property. Although it would introduce a new feature

	into the wall, the Inspector comments that gates are a common feature of many historic walls and states that he agrees with the Council's Conservation Officer that <i>"the gate will read as a minor and incidental feature of appropriate garden gate design that will not harm the special interest of the listed building"</i> .
Learning Point / Actions	The minor scale of the proposal was not considered to have such a significant impact on the character or significance of the listed building.

Application Number	DC/19/2410/FUL
Appeal Number	APP/X3540/W/19/3236570
Site	Briar House, Church Lane, Lound NR32 5LL
Description of Development	The development proposed was conversion of existing garage to an annex.
Committee / Delegated	Delegated
Decision Date	11 February 2020
Appeal Decision	Dismissed
Main Issues	The main issue was the effect of the proposed development on the character and appearance of the appeal site and the surrounding area.
Summary of Decision	The Inspector raised concerns with the converted garage appearing as a new dwelling, with its layout and separation from the main house only exacerbating the appearance of a separate dwellinghouse, rather than ancillary accommodation. The proposal was deemed to unacceptably harm the character and appearance of the area, and fail to comply with the provisions of policy WLP8.10 which requires, among other things, that annexes reflect the character and setting of the original dwelling and that the size, scale, design, location and provision of accommodation must be subordinate to its host.
Learning Point / Actions	<p>This appeal decision is an excellent example of the Planning Inspectorate upholding the Council's policies on annexe accommodation.</p> <p>Of note is that the Inspector identified that controlling planning condition or S106 legal agreement would be sufficient to restrict the use to only ancillary accommodation, but that would not overcome the separate and independent appearance of the annexe, contrary to policy WLP8.10 of the Local Plan.</p>

Application Number	DC/18/3424/FUL
Appeal Number	APP/J3530/W/19/3227271
Site	Former Council Offices, Melton Hill, Melton IP12 1AU
Description of Development	The development proposed is residential development (100 units) including affordable housing (Class C3) plus a community building (364.1sq.m) (Class D1) and a retail unit (102.3sq.m) (A1/A2/A3), car parking, means of access and landscaping, all following demolition of the buildings on site.
Committee / Delegated	Committee
Decision Date	12 February 2020
Appeal Decision	Dismissed
Main Issues	This is whether the proposal would make adequate provision for affordable housing, with particular regard to the application of vacant building credit.
Summary of Decision	The NPPF advises that VBC will not apply to vacant buildings which have been abandoned. Turning first to vacancy, the advice note provided by the Council defines a vacant building as one which has not been in continuous use for any six month period during the last three years. However, the Inspector advises that this note has not been subject to



	<p>public consultation and has not been formally adopted as part of the development plan. While vacancy is not defined in the Framework, he accepts that the Council's decision notice confirms that the site was last occupied in May 2017, almost 3 years ago. Notwithstanding the Council's definition, 32 continuous months of non-use is compelling evidence of vacancy.</p> <p>The Inspector accepts there has been no intervening use, and it is clear from the evidence of the Council's office relocation programme that the buildings were not abandoned but were vacated as part of a project of rationalisation of accommodation where staff were redeployed to more modern, smaller offices, with lower running costs.</p> <p>The PPG indicates that the intention of the VBC policy is to incentivise brownfield development, including the reuse of empty and redundant buildings, and that authorities may consider whether the building has been made vacant for the sole purposes of redevelopment. It is clear that the circumstances of this development are quite different from abandonment for the sole purpose of redevelopment of the site. All these factors suggest that VBC should apply to the proposal.</p> <p>However, the PPG also indicates that it may be appropriate to consider whether the building is covered by an extant permission for the same or substantially the same development. Since the appeal was made, the Inspector is aware that Council has granted planning permission on the same site for a substantially similar development without VBC, but which includes the policy compliant number of 32 units of affordable housing, as sought by the Council. The appellant has confirmed in writing to the Planning Inspectorate that he is content, and indeed, willing, to implement that second, permitted scheme.</p> <p>The PPG describes the intention of the VBC policy as to incentivise brownfield development. In the light of the permission granted since the appeal was made, I cannot conclude other than that there is no longer any need to incentivise the development of the site, as there now exists a permission for a similar scheme, which the appellant is willing to implement. In the absence of any viability assessment to demonstrate that the 32 units required under CS policy DM2 would make the scheme unviable, the Inspector concluded that the 16 affordable homes proposed would be an inadequate level of provision. This places the proposal in conflict with the development plan, by failing to address the need for affordable housing in the District.</p>
Learning Point / Actions	None. Interesting however to note that although the Inspector felt that VBC should apply in this instance, the compelling evidence of a more recent permission resulted in the appeal dismissed, although not for the exact reasons as specified in the decision notice.

Application Number	DC/19/1465/FUL
Appeal Number	APP/X3540/W/19/3232028
Site	Green Barn, Land to the rear of Old Nurseries, Burgh, Woodbridge, Suffolk, IP13 6JN
Description of Development	"Demolition of existing storage buildings with prior approval for conversion to residential use, and erection of new single storey dwelling and associated works"
Committee / Delegated	Delegated
Decision Date	21 February 2020
Appeal Decision	Dismissed
Main Issues	Whether the development is in an appropriate location, with particular regard to the adopted development plan settlement hierarchy and access to shops, services and community facilities and transport choices other than the private car and the effect of the development on the character and appearance of the area.

Summary of Decision	<p>The site is not located in close proximity to sustainable settlements to avoid the reliance of the use of private cars and does not fall into any category with the settlement hierarchy (SP19) or constraints of DM3 to be a permitted use in the countryside.</p> <p>The character of the barn would not be retained as part of the proposal, which would have a harmful impact on the rural character and appearance of the site. No landscaping or screening which would justify an otherwise harmful scheme as this could be repeated too easily and often for all forms of poor-quality development. The development would not therefore be sympathetic to the character of the area contrary to policies within the Core Strategy and NPPF.</p> <p>The site has an extant 'prior-notification' consent to be converted, which the Inspector does not doubt will be implemented in lieu of this dismissal; however does not consider the prior notification a viable fallback in justifying the intensified proposal which is considerably materially different to what was previously considered under the limited considerations of the prior-notification process.</p> <p>The appellant had also referenced the Core Strategy as being out of date, as it was adopted prior to the revised Framework, however the Inspector considered that the majority of the policies accorded with the aspirations of the NPPF, although did suggest that Policies SP19, SP29 and DM3 of the Core Strategy and Policy SSP2 of the Site Allocations Plan adopt a restrictive approach to development in the countryside which does not fully accord with the more balanced and open position of the Framework.</p>
Learning Point / Actions	<p>Prior-notifications (Class Q) may not be considered a viable fallback if the proposals would materially conflict with the aspirations of the development plan. There is also case law which outlines when a prior-notification could be considered a viable fall back.</p>

#### Appeals relating to Enforcement Action

Enforcement Case Number	ENF/2015/0279/DEV
Appeal Number	APP/T3535/C/18/3211982
Site	Land on the North side of Dam Lane, Kessingland
Description of Development	Without planning permission the erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to a highway and engineering operations amounting to the formation of a lake and soil bunds.
Type of notice	Enforcement Notice (served 5 September 2018)
Decision Date	5 February 2020
Appeal Decision	Appeal Dismissed and the enforcement notice is upheld
Main Issues	The main issues in this case were the unauthorised erection of outbuildings, wooden jetties, fencing and gates and engineering operations amounting to the formation of a lake and soil bunds.
Summary of Decision	Appeal Dismissed
Learning Point / Actions	None

Enforcement Case Number	ENF/2018/0057/DEV
Appeal Number	APP/J3530/C/19/3220721 APP/J3530/C/19/3220722

Site	The Stone House, Low Road, Bramfield
Description of Development	Without planning permission the installation of soil bunds and hardstanding for the purposes of the stationing of refrigeration units/chiller cabinets on the Land;  Without planning permission the change of use of the Land for the purposes of the stationing of refrigeration units/chiller cabinets on the Land.
Type of notice	Two Enforcement Notice (served 10 December 2018)
Decision Date	13 February 2020
Appeal Decision	Appeals Dismissed under ground (a) – that planning permission be granted for the unauthorised works) and allowed under Ground (g) that the time period given within the Notice is extended
Main Issues	The main issues in this case were the unauthorised extension of the business site at Bramfield Meats onto land associated with Stone House.
Summary of Decision	Appeals Dismissed under Ground (a) and upheld under Ground (g) resulting in the time period for compliance being extended to 6 months
Learning Point / Actions	None

### Costs Decisions

Application Number	DC/18/4850/OUT
Appeal Number	Costs application in relation to Appeal Ref: APP/J3530/W/19/3233271
Site	Appletree Cottage, Woodbridge Road, Debach, Woodbridge IP13 6BY
Description of Development	Application for costs by the Local Planning Authority
Committee / Delegated	Delegated
Decision Date	7 January 2020
Appeal Decision	Costs refused
Main Issues	The Local Planning Authority (LPA) were seeking an award of costs against the appellants. The LPA considered that the appellant had acted unreasonably in raising issues by calling into question whether the Council are able to demonstrate that they have a five-year supply of housing land, that have been resolved in other planning appeals involving the same agent as has prepared the statement of case for the appellants.
Summary of Decision	The Inspector, considered that there was no unnecessary or wasted expense incurred, on the basis that the Council have submitted a Statement of Housing Land Supply as of March 2019 document, which was not prepared specifically for this appeal, and would have been drawn up in any case as part of the Local Plan's process.
Learning Point / Actions	The Local Planning Authority should only seek costs where it has had to draw up documents and statements specifically for the appeal, even when the appellants agent is pursuing a point which had been resolved in other planning appeals with the same agent.

Application Number	DC/18/4850/OUT
Appeal Number	Costs application in relation to Appeal Ref: APP/J3530/W/19/3233271
Site	Appletree Cottage, Woodbridge Road, Debach, Woodbridge IP13 6BY
Description of Development	Application for costs by the applicant
Committee / Delegated	Delegated

Decision Date	7 January 2020
Appeal Decision	Costs refused
Main Issues	The appellant was seeking an award of costs against the Local Planning Authority as they considered as they consider that the Council have acted unreasonably in refusing their application in the face of what they consider to be clear and compelling evidence that permission should be granted.
Summary of Decision	The Inspector was satisfied that the Council had substantiated its reasons for refusing the application, and therefore the appellants had not incurred unnecessary or wasted expense in preparing their case.
Learning Point / Actions	This case confirms the need for the Local Planning Authority to be able to substantiate its reasons for refusal, in order to avoid the award of costs to the appellant at appeal.

Application Number	DC/19/1539/LBC
Appeal Number	Costs application in relation to Appeal Ref: APP/X3540/Y/19/3235565
Site	The Great House, Church Street, Orford, Suffolk, IP12 2NT
Description of Development	Installation of gate in boundary wall
Committee / Delegated	N/A
Decision Date	10 February 2020
Appeal Decision	Costs given
Main Issues	Reasons for the award of costs
Summary of Decision	Full Grant of Costs allowed. Whilst the Inspector recognised that Planning Committee were not obliged to follow the advice of their officers, they should have good reason to do so. In this case the Inspector noted that although the local planning authority properly substantiated the reasons for refusal in the appeal statement, it was deemed that the Council acted unreasonably in refusing the application when Planning Permission for a similar gate (along with the erection of a new holiday let) had previously been granted.
Learning Point / Actions	To ensure that cases are considered in a consistent manner such that subsequent decisions are not seen as the Council acting unreasonably.



## STRATEGIC PLANNING COMMITTEE

Monday, 9 March 2020

### DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

#### EXECUTIVE SUMMARY

1. This report provides an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Development Manager 01394 444778 <a href="mailto:Liz.beighton@eastsoffolk.gov.uk">Liz.beighton@eastsoffolk.gov.uk</a>
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## 1 INTRODUCTION

- 1.1 This report provides details on the determination timescales for all planning applications at East Suffolk Council when tested against the government set timescales as well as the East Suffolk Council stretched targets.
- 1.2 The Key Performance Indicators (KPIs) are reported on a quarterly basis and included within the East Suffolk Council performance report and tested against the Council's Business Plan.

## 2 PERFORMANCE STATISTICS

- 2.1 The breakdown for Q1 (April through to end of June 2019) is reported as follows:

	Q1 Percentage	Q1 Total	Targets
Major Development	100%	13/13	60% national 65% stretched
Minor Development	67%	104/154	65% national 75% stretched
Other Development	85%	437/516	80% national 90% stretched

- 2.2 The breakdown for Q2 (June through to end of September 2019) is reported as follows:

	Q2 Percentage	Q2 Total	Targets
Major Development	78%	18/23	60% national 65% stretched
Minor Development	80%	127/159	65% national 75% stretched
Other Development	90%	350/387	80% national 90% stretched

- 2.3 The breakdown for Q3 (October through to end of December 2019) is reported as follows:

	Q2 Percentage	Q2 Total	Targets
Major Development	84%	16/19	60% national 65% stretched
Minor Development	74%	92/125	65% national 75% stretched
Other Development	91%	339/374	80% national 90% stretched

- 2.4 The rolling statistics for both Q1, Q2 and Q3 are as follows:

	Combined Percentage	Combined Total	Targets
Major Development	84.4%	47/55	60% national 65% stretched
Minor Development	74%	323/438	65% national 75% stretched
Other Development	88.1%	1126/1277	80% national 90% stretched

- 2.5 The figures reported continue to show a high speed of determination across all genres of applications. In all instances the national performance targets are achieved. The performance is slightly below the internally stretched targets in both minor and other applications. This is partly to do with the Christmas period and there being four vacant posts within the team (including one in enforcement) which has increased officer workload alongside a high volume of submissions. These vacant posts are currently out for advertisement and officers are hopeful of being able to recruit to these posts and increase the officer level across the team.
- 2.6 The Council maintains a high approval rate across all boards and proactively look to support development where policy permits and work proactively with applicants and agents to secure appropriate schemes. Where applications are refused Officers seek to defend those refusals strongly. Members will note the separate appeals report on the SPC agenda which demonstrates confidence that applications are being refused correctly and those decisions are for the most part upheld at appeal.
- 2.7 Officers continue to work proactively with agents to promote the pre-application service to seek to ensure that where applications are submitted they have the right level of information accompanying to enable not only swift decisions on applications.
- 2.8 The Q4 statistics run until the end of March 2020. These will be reported to the March SPC meeting together with an update on the Q4 and yearly statistics cross-referenced against those for the preceding year. The report will also seek to offer more detailed analysis on the use of extensions of time and the pre-application service.

### **3 REASON FOR RECOMMENDATION**

- 3.1 This report is for information only.

#### **RECOMMENDATION**

That the content of the report is noted.

#### **APPENDICES – None**

#### **BACKGROUND PAPERS - None**



## STRATEGIC PLANNING COMMITTEE

Monday, 9 March 2020

### AGENTS, TOWN AND PARISH, AND FORUM UPDATE

#### EXECUTIVE SUMMARY

1. The Head of Planning and Coastal Management will provide a report to the Strategic Planning Committee on the outcomes and next steps resulting from recent engagement with applicants and agents, Town and Parish Councils and the Conservation Forum.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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<b>Supporting Officer:</b>	Philip Ridley Head of Planning and Coastal Management 01394 444432 <a href="mailto:Philip.ridley@eastsoffolk.gov.uk">Philip.ridley@eastsoffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 On the 30 January 2010 Members of the Planning Service held an Agents Forum at High Lodge in Darsham which was attended by 42 agents working across the District. Updates and information was shared in relation to CIL/RAMS, Development Management and Planning Policy. In addition, external partners from the Police and Planning Portal provide valuable updates in relation to designing out crime and changes to the Planning Portal.
- 1.2 This meeting was followed by a Design and Conservation Forum in the afternoon with key members of the Design and Conservation Team and those working in the sector to provide updates on the team, working practices, Conservation Area reviews, Heritage Action Zone, Listed Buildings and key projects the team are working on.
- 1.3 On the 24 January and the 27 January 2020, at both East Suffolk House and Riverside, the team undertook engagement and provided updates to our Town and Parish Council representatives. Again, these sessions were well attended and fully booked with waiting lists in place, with a total of 133 attendees. Updates were provided to the Council's on CIL, Development Management, Planning Policy, how to access the CMIS system and the move to paperless planning application consultations.
- 1.4 The Head of Planning and Coastal Management will provide members of the Strategic Planning Committee with a synopsis of the substantive issues which were raised at the three forums, together with the next steps including details of further engagement and dialogue with our customers. Continual engagement with all our customers, the dissemination of information and receipt of constructive feedback is seen as critical to enable the high quality function of the planning service.

## **2 REASON FOR RECOMMENDATION**

- 2.1 This report is for information only.

### **RECOMMENDATION**

That the contents of the report and verbal presentation is noted.

### **APPENDICES – None**

### **BACKGROUND PAPERS - None**