

Confirmed



Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 26 January 2021** at **2:00 pm**

Members of the Committee present:

Councillor Melissa Allen, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

Other Members present:

Councillor Carol Poulter, Councillor David Ritchie, Councillor Steve Wiles

Officers present:

Jamie Behling (Trainee Planner), Liz Beighton (Planning Manager), Sarah Carter (Democratic Services Officer), Matt Makin (Democratic Services Officer), Philip Perkin (Principal Planner (Major Sites)), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Robert Scrimgeour (Principal Design and Conservation Officer), Ben Woolnough (Major Sites & Infrastructure Manager)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Tony Fryatt; Councillor Paul Ashdown attended as his substitute.

2 Declarations of Interest

Councillor Melissa Allen declared an interest in item 10 of the agenda as she had objected to it in her capacity as Ward Member. Councillor Allen advised the Committee that she remained of an open mind about the application and would be basing her decision on the information presented to the Committee.

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council and Chairman of its Planning and Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Melissa Allen declared that she had been lobbied on item 10 of the agenda and had responded to this correspondence.

Councillor Stuart Bird declared that he had been lobbied on item 8 of the agenda and had not replied to any correspondence.

4 Minutes **RESOLVED**

That the Minutes of the Meeting held on 22 December 2020 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0641** of the Head of Planning and Coastal Management. The report was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 18 December 2020; at that time there were 13 such cases.

The Chairman invited questions to the officers.

The Planning Manager advised that she and the Senior Enforcement Officer had scheduled to visit the site at Top Street, Martlesham, to confirm compliance and would provide an update to the Committee once this visit had taken place.

In response to a question on the enforcement case at Pine Lodge, Hinton, the Planning Manager confirmed that charging orders had been placed on the land to recover court costs and recent site visits had demonstrated continuing compliance on the site. The Planning Manager advised that the length of time the case had taken had been predicated by High Court dates.

There being no further questions the Chairman moved to the recommendation to note and receive the report.

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

RESOLVED

That the report concerning Outstanding Enforcement matters up to 18 December 2020 be received and noted.

6 DC/20/3264/FUL - Land between High Street and Chapel Lane, Pettistree

Note: during this item, Councillor Allen lost connection to the meeting on several occasions and was not able to return to the meeting for significant periods of time. As a result, she did not vote on this item.

The Committee received report **ES/0642** of the Head of Planning and Coastal Management, which related to planning application DC/20/3264/FUL.

The application sought full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.

The site was allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

The application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, set out in the East Suffolk Council Constitution, due to the level of public interest.

The Committee received a presentation on the application from the Principal Planner (Major Sites), who was the case officer for the application.

The site's location was outlined; the site was immediately south of another Hopkins Home development now known as the Morris Road development and was bounded by the High Street to the west and Chapel Lane to the east. There were no features that defined the southern boundary of the site.

The Committee was shown a map which related the application site to the site allocated under policy SCLP12.60 of the Suffolk Coastal Local Plan, which had been adopted by East Suffolk Council in September 2020, as well as an aerial view of the site.

Photographs were displayed of the following:

- the view north along the High Street from the proposed access point
- the view north along the High Street of the tower and spire of All Saints Church
- the view south from the proposed access point
- the view along the High Street towards the entrance to Morris Road
- the view from the High Street across the site to the southern boundary of the Morris Road development
- the view of the ditch along the northern boundary of the site
- the east to west view across the site
- the view to the south of the site
- the view of the play area adjacent to the southern boundary of the Morris Road development
- the view along the southern boundary of the Morris Road development
- the view along part of the southern boundary of the Morris Road development
- the view of the site from the adjacent site to the north
- the view south along Chapel Lane
- Chapel Lane
- the view north along Chapel Lane
- the view along the northern boundary
- the view from Chapel Lane to the south

The Principal Planner indicated that the site sloped towards its lowest point, located at the northern boundary.

The proposed site layout was displayed. Planning officers considered that the layout proposed was an attractive one with a good amount of open space. A 10 metre landscape buffer zone was proposed for the southern boundary, which was required by policy SCLP12.60. Two play areas were proposed and there would be significant landscaping on the frontage with the High Street. The Principal Planner said that a significant feature of the proposal was the inclusion of

infiltration basins to the north of the site as part of the sustainable urban drainage system (SUDS) for the development.

An image showing the proposed layout's relationship with the Morris Road development was shown. The Principal Planner stated that the proposed layout would complement the existing development.

Cross-sections of the site were displayed which demonstrated the various street scenes and relationships with the Morris Road development. The images detailed the mix of housing types, heights and proposed materials.

The Committee was in receipt of the proposed landscape strategy, which demonstrated large open spaces and high quality landscaping.

Elevations of the proposed housing types were displayed and outlined.

The material planning considerations and key issues were summarised as the principle of development, housing mix and affordable housing, the provision of open space, pedestrian connectivity, access and highways, design and layout/residential amenity, landscape and visual impact, ecology, and surface water drainage.

The Principal Planner noted the potential for pedestrian connectivity between the proposed development and the Morris Road development; this required the agreement of the Morris Road development's management company, which had not been forthcoming. A Section 106 Agreement would be put in place to ensure the delivery of this connectivity should it become possible.

Concern had been expressed about the proximity of Plots 1 and 23 to the existing dwelling located to the north of Plot 1. However, Plot 1 had a side-to-side relationship with the existing dwelling to the north with a separation distance of some 16m between the two side elevations, which officers considered sufficient to ensure there would be no loss of amenity.

The Principal Planner noted recent flooding on the application site and stated that this had been discussed with both the applicant and the Flood Authority; the applicant had considered that this flooding had occurred due to surface water flowing to the lowest point of the site and the Flood Authority confirmed that the pooling observed was where one of the infiltration basins would be located.

The Lead Local Flood Authority had also noted that the drainage ditch at the northern site serviced the Morris Road development and discharge during storms could affect the proposed development; this required assessment to ascertain what the impact would be and what mitigation would be required and this was included as a condition in the recommendation. The applicant had committed to improve and widen this drainage ditch.

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

The Chairman invited questions to the officers.

The Principal Planner clarified the area of the site that would be allocated for self-build plots and that the affordable housing units would be distributed throughout the site.

In response to a question regarding pedestrian connectivity between the site and the Morris Road development, the Principal Planner considered that it would be better to consider this in more detail once the site had at least been developed at its northern boundary and that the benefits would be more realised at this point. The Head of Planning and Coastal Management reiterated that the connectivity had been objected to by the management company of the Morris Road development and that the use of a legal agreement to secure this in the future was an acceptable option.

The Principal Planner detailed the recreational areas that would be available, including the two play areas, a circular walking route around the perimeter of the site and the links to Chapel Lane which would in turn link to existing public footpaths. In response to a question regarding playing fields, the Head of Planning and Coastal Management said there was no requirement for sports facilities on the site and noted the good provision of such facilities in Wickham Market, which would be within walking distance from the site.

It was confirmed that the infiltration basins would be dry for a majority of a time but would contain some water after high rainfall events.

The Chairman invited Mr Cook, who objected to the application, to address the Committee.

Mr Cook said that he and other residents of Pettistree were not against the principle of development in the parish but did object to the size of the proposed development in relation to the existing size of the village, and what it would mean in relation to the question of coalescence.

It was considered by Mr Cook that the development would merge Pettistree and Wickham Market and that there would be no dividing line between the two settlements. Mr Cook said that this would be contrary to policy SCLP10.5 of the Suffolk Coastal Local Plan.

Mr Cook acknowledged that assurances of "open space" between this development and the existing Morris Road development had been given but said that in practice this would have almost no effect in creating a buffer zone and therefore coalescence would occur.

Mr Cook stated that Pettistree consisted of 85 dwellings and noted that the proposed 136 new dwellings would result in a 160% increase in the size of the parish, which had no shop, only one pub and a village hall. Mr Cook considered that a development of this size would be too large for even Wickham Market to cope with and that the impact of additional vehicles on local roads, particularly through Ufford heading south to the A12, would be substantial. He recommended that any Member not familiar with the bottleneck in the centre of Wickham Market visit the area to witness its impact during busy periods.

It was Mr Cook's view that there should be a maximum of 90 properties delivered on the site and that 30 of them should be affordable units if local housing was a driver for the development. Mr Cook considered that the wealthier residents in the area would not want to buy the houses and the less well-off residents who wanted to stay in Wickham Market would; he suggested that a housing association would be more likely to take on a group of larger group of properties.

Mr Cook concluded that the development would not provide resources for the area but would draw resources from it, adding to traffic and demand on local services. He considered that the development would only provide short-term gain for the developer and cause long-term loss for the community.

There being no questions to Mr Cook the Chairman invited Councillor Hallett, Chairman of Pettistree Parish Council, to address the Committee.

Councillor Hallett informed the Committee of the serious impacts Pettistree Parish Council expected from the development on Pettistree and neighbouring villages. Councillor Hallett noted that the single pub that served both Pettistree and Wickham Market would not cope with the large influx of new residents and that the village hall was too small to accommodate a meeting of the new parishioners, and that Pettistree would not receive enough Community Infrastructure Levy (CIL) money to build a larger hall. Councillor Hallett added that the local church could not accommodate even a small percentage of the new residents.

It was highlighted by Councillor Hallett that Pettistree depended on Wickham Market for nearly all of its local services and he considered that the new population on the site would overload these services. Councillor Hallett also raised concerns about the impact of traffic entering and leaving Wickham Market at the pinchpoint in the centre of the village. Councillor Hallett said that no practical solution had been proposed; the Highways Authority had recognised the issue and Councillor Hallett was of the view that the untargeted sum of £41,000 for roads in the centre of the village would not resolve the problem.

Councillor Hallett suggested that a similar management company for open spaces to that on the Morris Road development would likely be formed for the new development and was concerned this would create no-go and no-play areas for non-estate families; he highlighted that this was already the case on the Morris Road development and referred the Committee to images he had circulated, prior to the meeting, of the unfriendly signage at the open spaces on that site.

Councillor Hallett commented on the Morris Road management company's objection to pedestrian connectivity between the sites and noted the comments at paragraph 8.1 of the report about this being a shortfall in the scheme as it would fail to create community cohesion, asking how this issue would be addressed before development commenced.

It was noted by Councillor Hallett that the Highways Authority had said that no trees shall be planted closer than five metres to the carriageway, and that this would apply to the High Street and the roads within the estate. Councillor Hallett referred to the proposed planting and said that this would result in the estate roads not being adopted. Councillor Hallett said that this could lead to maintenance and possibly ownership being taken on by a private company, which could create future conflict over ownership and access to the roads. Councillor Hallett also noted that if the planting guidance was followed, the screening and amenity planting schemes would fail.

Councillor Hallett reiterated Pettistree Parish Council's objection to the application in both principle and detail.

The Chairman invited questions to Councillor Hallett.

Councillor Hallett acknowledged that the proposed number of dwellings was lower than that which the site was allocated in the Suffolk Coastal Local Plan but noted the Parish Council's objection to the policy during the making of the Local Plan.

The Chairman invited Councillor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French confirmed that Wickham Market Parish Council objected to both this application and its duplicate (item 7 of these Minutes) and wanted to take the opportunity to reinforce the concerns set out in the Parish Council's letter of 12 October 2020.

Councillor French expressed disappointment that an archaeological assessment report had not been submitted in advance of the meeting, given the investigations had been carried out in 2020. Councillor French also raised concerns about the impact of the development on the village road network and sought assurances that all required works would be carried out under the Section 106 Agreement, as the £41,000 allocated for improvements was not enough.

The flooding problem on the site was highlighted by Councillor French and he asked if there was an alternative plan should the infiltration basins be insufficient, as well as for confirmation on who would manage the basins. Councillor French highlighted that the treatment plant that would serve the development was already nearly at capacity and questioned if it would be able to cope with the new development.

Councillor French suggested that local services in Wickham Market would be overloaded as they already supported several neighbouring parishes which either already had or would see further residential development in the future.

Councillor French said that Wickham Market Parish Council wanted to be involved in discussions regarding highway works such as bus stops, footway works, crossings, gateway design, and speed control measures. Councillor French also queried if the estate roads would be adopted by the Highways Authority.

Councillor French expressed concern that the development would bring second home owners with no sense of community with either village.

Councillor French concluded that, should the Committee approve the application, Wickham Market Parish Council wanted to be fully involved in the details relating to layout, drainage, landscape, treescape, highways and legal agreements in order to ensure that these address its technical concerns.

There being no questions to Councillor French the Chairman invited Mr Lieberman, Head of Planning for Hopkins Homes, to address the Committee. Mr Lieberman was accompanied by Mr Armstrong of Armstrong Rigg Planning and Mr Wigzell of Ingent Consulting Engineers who would be able to answer any technical questions that the Committee might have.

Mr Lieberman said that Hopkins Home had worked closely with officers, both before submitting the application and over the last six months, to arrive at a scheme which was supported by statutory consultees and in full accordance with the site allocation in the Suffolk Coastal Local Plan.

Hopkins Homes had carried out community engagement prior to submitting the application and Mr Lieberman said that this had helped to inform the scheme design and layout. This included a well-attended public exhibition and a meeting with Pettistree Parish Council in August 2019.

Mr Lieberman considered that Hopkins Homes had an excellent track record of delivery and said it was fully committed to progressing the site as soon as possible. Should the application be approved it was Hopkins Homes' intention to commence development towards the end of 2021, following the discharge of relevant conditions, and envisaged completion of the first dwelling at the end of 2022 and all dwellings by late 2025.

Mr Lieberman suggested that the development was attractive in design and noted the provision of 45 affordable housing units and seven self-build dwellings.; he also noted the variety of housing types on the site, including smaller one and two bedroom units, as well as open spaces, play areas and sustainable urban drainage systems.

Hopkins Homes' approach to development was described by Mr Lieberman as 'fabric first' and utilising low carbon technology, including air source heat pumps. These details would be further discussed and agreed with officers as part of any subsequent discharge of condition applications.

Mr Lieberman highlighted that the Highways Authority had not objected to the application and that it would bring the highway improvements requested. Mr Lieberman concluded that the scheme was in line with local and national planning policies and would provide high-quality housing on an allocated site.

The Chairman invited questions to Mr Lieberman, Mr Armstrong and Mr Wigzell.

Mr Lieberman confirmed that Hopkins Homes was happy to work with Wickham Market Parish Council as requested, subject to the application being approved.

It was envisaged that all properties with on-plot parking would have an electric vehicle charging point and that communal charging points across the site would be considered.

Mr Lieberman stated that the expected completion date excluded the self-build plots, which would be subject to separate reserved matters applications; these plots would be subject to a specific design code.

The Chairman invited Councillor Carol Poulter, Ward Member for Pettistree, to address the Committee.

Councillor Poulter said that she had listened with interest to what had been said at the meeting; she considered that the development appeared to meet planning requirements and was an attractive development but that she agreed with a number of the objections raised about the application, including the impact on the highways through Ufford to and from the site.

Councillor Poulter considered that she had not been able to see a sequential approach to the planning process and that it had not been as transparent as it could have been. Councillor

Poulter expressed concern that residents felt that they had not been listened to and noted that this was evidenced in the correspondence received in the respect of the application.

In respect of the lack of objection from the Highways Authority, Councillor Poulter said this was contrary to the known pinch point in Wickham Market which was 300 metres from the application site. The resulting diversion at peak times would be significant and Councillor Poulter asked if traffic modelling had been undertaken and highlighted the possible impact of Sizewell C on traffic in the locality.

Councillor Poulter was pleased to hear that the applicant would work with Wickham Market Parish Council and asked if they would work with the other parish councils.

The Chairman asked officers to clarify the concerns raised by Councillor Poulter.

The Head of Planning and Coastal Management outlined that all Members and parish councils were encouraged to link into the Public Access system which provided regular updates on planning applications; the system contained all information on applications and allowed users to access this information digitally.

The Head of Planning and Coastal Management acknowledged that many communities in East Suffolk would be impacted by any development of Sizewell C and highlighted that he and his team would be meeting with Wickham Market Parish Council and EDF Energy regarding this. In terms of highways issues, the Head of Planning and Coastal Management assured the Committee that other allocations in the Local Plan and the impact of Sizewell C had been taken into consideration when the application site was allocated for development.

The Head of Planning and Coastal Management stated that the issue of access to open spaces could be addressed through planning conditions to ensure that areas remained open to members of the public. The Major Sites and Infrastructure Manager added that the issues at the Morris Road development regarding open spaces were being investigated and noted the open spaces on sites such as these were controlled through Section 106 agreements and should be open to non-residents.

The Chairman invited questions to Councillor Poulter.

Councillor Poulter explained that parts of Ufford were located near to the application site and that it would impact on the highways passing through the village.

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

Members of the Committee spoke in favour of the application, highlighting that the proposed number of dwellings was lower than the number allocated in the Local Plan and included affordable housing units; several Members who were supportive of the application considered the design to be attractive.

A member of the Committee noted that the mix of housing proposed was positive and was unsure about the concerns raised by Pettistree Parish Council as he considered the development would have more impact on Wickham Market. The Member was concerned about flooding on the site and was not sure if the issue was fully appreciated by the developer.

Another member of the Committee highlighted that the application had to be decided on material planning considerations; he noted the concerns raised about a lack of facilities in the area and said this was due to rural depopulation, considering that the development would bring a demand for more services in the area. The Member stated that the site had been allocated in the new Local Plan, which had been through a rigorous plan making process, and that the development would provide self-build plots and affordable housing units; he stated that he would be voting in favour of the application.

The Chairman concluded the debate, concurring with the points raised about bringing services to the area and the provision of smaller units; she asked the developers, should the application be approved, to work with the local parish councils and form a liaison committee during development.

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

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

RESOLVED

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management with conditions (including but not limited to those below), subject to the completion of a Section 106 Legal Agreement within six months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.
- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the Section 106 Legal Agreement is not completed within six months **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management.

Conditions:

1. For the seven dwellings offered for self or custom builders (in outline):
 - a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

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

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

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

- i) The siting of all buildings within their plots.
- ii) The design of all the buildings, including the colour and texture of facing and roofing materials. A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels.
- iii) Measures to minimise water and energy consumption and to provide for recycling of waste.
- iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.
- v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:
The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

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

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,
External works layout 002 Rev C received 7 January 2021,
Planning layout 003 Rev C received 7 January 2021,
Materials Plan 004 Rev B received 22 December 2020,
Street Scenes 005 received 30 November 2020,
10m Landscape Buffer 007 Rev A received 22 December 2020,
Self-build Phasing Plan 008 Rev A received 22 December 2020
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,
3D Views 006 received 30 November 2020.
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,

139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A, 219 A, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020

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

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and agreed by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

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

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or

contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

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

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

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

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

- a) Good practice procedures as set out in BS5228:2014,
- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

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

Reason: In the interests of amenity.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations and water efficiency of 110 litres/person/day shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority.

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

22. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

24. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) by a qualified principle site contractor, detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

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

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

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

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

29. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

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

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

Informatives:

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

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must

submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk

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

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

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

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

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

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

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

7 DC/20/3361/FUL - Land between High Street and Chapel Lane, Pettistree

Note: the meeting was briefly adjourned at the beginning of this item to allow the case officer to resolve a technical issue that prevented him from sharing his presentation. The meeting was adjourned from 3.34pm to 3.38pm.

The Committee received report **ES/0643** of the Head of Planning and Coastal Management, which related to planning application DC/20/3361/FUL.

The application sought full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.

The site was allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

This application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, as set out in the East Suffolk Council Constitution, due to the level of public interest.

The Committee received a presentation on the application from the Principal Planner (Major Sites), who was the case officer for the application.

The Principal Planner advised the Committee that the application was a duplicate of planning application DC/20/3264/FUL, which had been approved by the Committee earlier in the meeting.

The Principal Planner recapped the executive summary of his report and displayed the proposed layout for the development.

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

The Chairman invited questions to the officers.

The Planning Manager explained that this application and its duplicate had been submitted in accordance with legislation and that the applicant was entitled to do so; East Suffolk Council, as the Local Planning Authority, was therefore required to determine both applications.

The Chairman invited Mr Cook, who objected to the application, to address the Committee.

Mr Cook said that he did not intend to repeat the points he made when he addressed the Committee on the previous application. Mr Cook questioned why the applicant had made a duplicate application and sought an explanation for them doing so.

There being no questions the Chairman invited Councillor Hallett, Chairman of Pettistree Parish Council, to address the Committee.

Councillor Hallett said that his views on the proposed development remained unchanged and would not be repeating the comments he made on the previous application. Councillor Hallett welcomed that the condition regarding public access had been applied to both recommendations and reiterated his concerns about the development roads not being adopted and shut off by any management company formed.

Councillor Hallett stated that he was concerned that the widening of the drainage ditch would increase the isolation between the development and the Morris Road development to the north of the site and that the infiltration basins would become muddy swamps when half-full and provide a breeding ground for mosquitos. Councillor Hallett noted that the existing footpath connections would be the busy High Street or Chapel Lane, which did not have any footpaths.

There being no questions to Councillor Hallett the Chairman invited Councillor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French stated that he would not be repeating his comments made earlier in the meeting and that Wickham Market continued to object to the proposed development. Councillor French said he was interested to hear why the applicant had made duplicate applications.

The Chairman asked Councillor French for his views on the applicant's commitment to work with local parish councils. Councillor French said that he welcomed this.

There being no other questions to Councillor French the Chairman invited Mr Lieberman, Head of Planning for Hopkins Home, to address the Committee. Mr Lieberman was accompanied by Mr Armstrong of Armstrong Rigg Planning and Mr Wigzell of Ingent Consulting Engineers who would be able to answer any technical questions that the Committee might have.

Mr Lieberman said that he heard and noted the comments raised at the meeting. Mr Lieberman explained that there was a clause when land was transferred to management companies to prevent open spaces being restricted and noted the issues reported at the Morris Road development.

With regard to the duplicate applications, Mr Lieberman explained that this was to give the applicant flexibility to amend one of the applications if there were differences in terms of landscaping and design; this had not been necessary in this instance.

There being no questions to Mr Lieberman, Mr Armstrong or Mr Wigzell, the Chairman invited Councillor Poulter, Ward Member for Pettistree, to address the Committee.

Councillor Poulter confirmed that she had no further points to add and was pleased to hear that Hopkins Homes would work with the local parish councils.

There being no questions to Councillor Poulter, the Chairman invited the Committee to debate the application that was before it.

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

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

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management with conditions (including but not limited to those below), subject to the completion of a Section 106 Legal Agreement within six months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.

- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the Section 106 Legal Agreement is not completed within six months **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management.

Conditions:

1. For the seven dwellings offered for self or custom builders (in outline):

- a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

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

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

- i) The siting of all buildings within their plots.
- ii) The design of all the buildings, including the colour and texture of facing and roofing materials. A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels.
- iii) Measures to minimise water and energy consumption and to provide for recycling of waste.
- iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.
- v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:

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

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

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,
External works layout 002 Rev C received 7 January 2021,

Planning layout 003 Rev C received 7 January 2021,
Materials Plan 004 Rev B received 22 December 2020,
Street Scenes 005 received 30 November 2020,
10m Landscape Buffer 007 Rev A received 22 December 2020,
Self-build Phasing Plan 008 Rev A received 22 December 2020
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,
3D Views 006 received 30 November 2020.
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,
139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205,
206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A 219 A, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and approved by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

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

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

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

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

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

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

- a) Good practice procedures as set out in BS5228:2014,
- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

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

Reason: In the interests of amenity.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations and water efficiency of 110 litres/person/day shall be submitted to and approved by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained 22. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

24. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) by a qualified principle site contractor, detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

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

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

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

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

29. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

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

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

Informatives:

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

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at:

<https://www.gov.uk/guidance/community-infrastructure-levy>

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

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

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

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

Note: following the conclusion of this item the Chairman adjourned the meeting for a short break. The meeting was adjourned from 3.52pm to 4pm. Councillor Allen, who had been affected by connection issues throughout the item, did not vote on the application and left the meeting at the conclusion of this item.

Note: at this point of the meeting the Chairman reordered the agenda; item 9 would be heard before item 8.

9 DC/20/3946/FUL - 12 Elm Road, Rushmere St Andrew, IP5 1AJ

The Committee received report **ES/0645** of the Head of Planning and Coastal Management, which related to planning application DC/20/3946/FUL.

The proposed development sought permission retrospectively for planning permission for a one chair barbers to be operated out of a partly converted garage space at 12 Elm Road, Rushmere St Andrew.

Rushmere St Andrew Parish Council had recommended refusal to the application, and therefore given the contrary officer recommendation the application was presented to the Referral Panel on 15 December 2020 whereby it was decided to bring the application to the Committee for determination; the Referral Panel considered that there were material planning considerations which warranted further discussion by the Committee.

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

The site location was outlined, and the Committee was shown photographs looking into the site, views looking up and down Elm Road, the proposed unit, the access to the site and the off-street parking spaces. The Trainee Planner outlined the proposed operating hours and noted the existing enforcement case on the site.

Objections from neighbouring properties had been received in respect of customers parking on the street and causing congestion in the evenings. The Trainee Planner advised the Committee that there were no Traffic Regulation Orders in place to control on-street parking on Elm Road, which would make any parking conditions difficult to enforce.

The Committee was shown the proposed block plan and floor plan for the development. A condition was proposed to ensure that parking would be met within the site and that clients would not park on the street. The floor plan identified that there would be only one barber chair and one worker operating on the site at any time.

The Trainee Planner outlined in detail the comments received from Rushmere St Andrew Parish Council; he also noted the concerns raised regarding loss of privacy to neighbouring properties and noise and stated that officers had considered this and concluded that the development would not have a negative impact in these regards.

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

The Chairman invited questions to the officers.

The Trainee Planner, in response to a question on if the development complied with both health & safety and environmental legislation, advised the Committee that as the application was for a small one-person operation Environmental Health had not been notified or consulted; the Planning Manager added that these matters were dealt with by separate legislation and that Environmental Health had not been consulted on the application as it was not in the remit of the applications it had asked to be consulted on.

The Trainee Planner confirmed that the size of the host dwelling meant that it had two parking spaces, leaving one free to be used for the business. In response to a question regarding operation on Sundays the Trainee Planner considered that this question could be best answered by the applicant, who was present at the meeting.

The Chairman invited Mr Vince, the applicant, to address the Committee.

Mr Vince said that he was employed full-time as a postal worker and undertook barbering in his spare time, having passed qualifications in the profession. Mr Vince advised the Committee that his most immediate neighbours supported the application.

The development was described by Mr Vince as not being visible from the highway and stated there was four parking spaces available to the host dwelling. Mr Vince said that he only had one customer on the premises at a time and ensured all his clients were advised not to park on the street and use the allocated spaces; he added that he allowed sufficient time between appointments to ensure that customers were not arriving and waiting to be seen and that the work station could be sanitised between bookings.

Mr Vince was confident that the development would not impact on Elm Road. In response to the earlier question regarding operating the business on Sundays, Mr Vince said that appointments were limited to a maximum of one hour so he would not see more than four customers on Sundays.

There being no questions to Mr Vince, the Chairman invited the Committee to debate the application that was before it.

The Chairman opened debate and noted that the Referral Panel's primary concern had been due to parking issues; she acknowledged that the road was a dead-end and did not have through traffic and that the application was supported by the most immediate neighbours to the site. The Chairman said that the operating hours were now clearer and said that any extension to these would require a separate planning application. The Chairman confirmed that she would vote in favour of the application.

Another member of the Committee considered the application to be for a small business seeing customers on a very small scale and was of the view that it should be approved.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

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

RESOLVED

That the application be **APPROVED**, subject to conditions as outlined below.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan, Block Plan, Floor Plan & Proposed Info. received 05/10/20 and Elevation received 09/10/2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The development hereby permitted shall not be used by members of the public outside the following hours:

16:00 - 20:00 Monday to Friday
09:00 - 12:30 Sunday

No works shall take place on Bank Holidays

Reason: To ensure the amenities of adjacent residents are not adversely affected.

4. The Barbers unit hereby approved shall only be operated and used by one professional barber with one client at a time. It shall not be leased out or used independently from the host dwelling (12 Elm Road).

Reason: To ensure the building is used by the applicant only, or any successive owner of the building in the interests of safeguarding residential amenity.

5. A parking space shown on the Block Plan showing possible parking received 05/10/2020 shall be retained during business hours for clients of the barbers unit only and for no other purpose. Outside of these hours it can be used in conjunction with the normal domestic purposes of the dwelling.

Reason: To ensure that off-road client parking is provided during business hours.

Informatives:

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

8 DC/20/1002/ARM - Land at Candlet Road, Felixstowe

The Committee received report **ES/0644** of the Head of Planning and Coastal Management, which related to planning application DC/20/1002/ARM.

The application sought the approval of reserved matters (covering details of: siting/layout/design and appearance (including materials) of buildings and means of access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment) pursuant to the Phase 1 of the Outline Consent DC/15/1128/OUT, consisting of the development of 255 dwellings, open space, landscaping and associated services and infrastructure (estate drainage/roads/paths/pumping stations etc.) on, 16.90 hectares of land at Candlet Road, Felixstowe.

The outline consent had been granted by the Secretary of State for Communities and Local Government on 31 August 2017 (APP/J3530/W/15/3138710).

The matters under consideration related to the detailed design of the development in terms of siting/layout/design and appearance (including materials) of buildings and means of access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment.

The application did not include details of the Commercial Units, Care Home and Independent Living Units also permitted by the outline consent; these matters would be dealt with as separate Reserved Matters Application(s)/phase(s), as would the balance of residential units.

The application was before the Committee at the discretion of the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, as set out in the East Suffolk Council Constitution, due to the level of public interest and significance of the scheme.

The Committee received a presentation on the application from the Principal Planner (Major Sites), who was acting as the case officer for the application.

The site's location was outlined, and the Committee was shown drawings which demonstrated how the application site related to the site allocated in SCLP12.3 for the North Felixstowe Garden Neighbourhood.

A proposed layout for the site was displayed; the Committee was advised that the application was concerned with the layout of the main residential areas of the development.

The Committee received an aerial view of the site, and photographs showing the following:

- the view west along Candlet Road
- the view east along Candlet Road
- the view north along Footpath 24 from Candlet Road

- the view north towards Cowpasture Farm from Footpath 24
- the view north across the site
- the view east to Grove Wood
- the view north
- the view of the site from Gulpher Road
- the view south along Gulpher Road
- the view north along Gulpher Road
- the view north along Gulpher Road with Candlet Road over

The indicative masterplan, approved under the outline consent, was displayed to the Committee. The Principal Planner noted that any reserved matters application needed to conform to this indicative masterplan as much as possible. The Principal Planner detailed the site connectivity.

The North Felixstowe Garden Neighbourhood development framework was outlined. The Committee was advised that it was important to take into account the pedestrian routes through the allocated site and how this development would connect to it.

The Principal Planner highlighted that the open space proposed differed from the indicative masterplan in that it had been broken down into two separate areas of open space. It was the view of officers that this was a better disposition of open space and an improvement on what had been indicated on the masterplan, as it would allow more people to access open space and improve views across the site.

The material planning considerations and key issues were summarised as the principle of development, housing mix and affordable housing, ecology, landscaping, sustainable construction, surface water drainage, foul water drainage, and renewable energy.

The Principal Planner noted the improvements to the scheme secured including the continuous frontage achieved towards Candlet Road. There had also been a reduction of the numbers of courtyard areas on the site and those remaining had been enhanced through planting and gate piers at their entrances. The improvements to the open space and hard parking for dwellings was also highlighted.

Drawings of street scenes were displayed and the variety of housing types were outlined. The Principal Planner said the variety of styles was welcomed.

The Committee was shown computer-generated images of the view across the open space at the southern end of the site, showing the contemporary style of properties proposed, and the views across the open space at the centre of the site. The design of the layout was described as attractive.

The Principal Planner referred to the update sheet, published on 25 January 2021, which noted that the Flood Authority had removed its holding objection and recommended approval with suggested conditions.

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

The Chairman invited questions to the officers.

In response to questions on community assets coming forward in future applications, the Head of Planning and Coastal Management advised the Committee that the application before them was the first in a number of reserved matters applications needed to deliver the entire scheme that was allowed on appeal, as well as part of the wider North Felixstowe Garden Neighbourhood allocated in the Suffolk Coastal Local Plan which would have a full suite of community facilities.

The Head of Planning and Coastal Management confirmed that the Council was in active discussions with the landowners within the allocated site and reassured the Committee that the wider community aspects of the North Felixstowe Garden Neighbourhood were understood, but not part of the application that was before the Committee. The Head of Planning and Coastal Management explained that the first phase of development would be connected to Felixstowe and considered that Members could be comforted that both planning policy and the outline consent required the community assets to be delivered in their entirety.

The Principal Planner highlighted that the masterplan indicated the proposed school would be located to the west of the site, and confirmed that a final site had not been identified for the school.

In response to a question regarding the discrepancy in the number of play equipment pieces for the open spaces proposed compared to what had been recommended, the Principal Planner stated that this would need to be agreed in consultation with the Active Communities Officer.

The Principal Planner confirmed that the use of specific materials was one of the proposed conditions in the recommendation.

With regard to existing water courses and both surface and foul water drainage arrangements, the Committee was advised that the Flood Authority would not have removed its holding objection if it was not satisfied with the surface water drainage strategy proposed, and that any existing water courses would not be affected by this development. The outline consent had identified that an additional rising main would be required for foul water drainage and this would be located in Gulpher Road; the specific details of this rising main would be agreed through the discharge of a condition in the outline consent and would be required to be to the satisfaction of Anglian Water.

The Chairman invited Mr McAdam, Planning Manager for Persimmon Homes Suffolk, to address the Committee.

Mr McAdam said that the creation of a new neighbourhood in North Felixstowe was part of the vision for the town and confirmed that the application sought approval of reserved matters to deliver phase one of the outline scheme allowed on appeal.

Mr McAdam noted that the details in the application had evolved through discussions between Persimmon Homes and planning officers, along with consultation with the public and Felixstowe Town Council. This had resulted in a series of amendments which had culminated in the submitted application.

The proposals were described by Mr McAdam as placing a strong emphasis on family housing and would provide a range of one to five bedroom dwellings, a majority being one to two bedroom properties in line with policies in the Suffolk Coastal Local Plan. The housing units would be built to modern standards and include a variety of green measures including photovoltaic panels and water butts. Mr McAdam said that all on-plot parking would be future proofed to allow connections for electric vehicle charging.

Mr McAdam highlighted that improvements had been made to the layout design and detail, noting the reduction and improvement of courtyards on the site. Mr McAdam highlighted the improved cycle and pedestrian connections introduced to ensure that the site would be connected to the wider North Felixstowe Garden Neighbourhood.

Mr McAdam confirmed that the concerns of the Flood Authority had been addressed and that Felixstowe Town Council was now the only statutory consultee that objected to the application.

Mr McAdam advised that should the application be approved, it was intended that development would start later in 2021 and be completed in approximately three and a half years.

The Chairman invited questions to Mr McAdam.

Mr McAdam confirmed that the proposed Section 106 Legal Agreement would have a requirement for open space specification and was happy to engage with the Council and Felixstowe Town Council to meet their requirements.

In response to a question relating to policy SCLP9.2 of the Suffolk Coastal Local Plan regarding sustainable construction and alternative/renewable energy, Mr McAdam considered that the scheme was compliant with the spirit of the policy despite the absence ground or air source heat pumps; he advised that Persimmon Homes had conducted a study into these matters and would explore alternative methods to address the required 20% reduction in carbon emissions. Mr McAdam said that Persimmon Homes adopted a 'fabric first' approach to development and would address the policy requirements over time.

Mr McAdam was confident that Persimmon Homes would be able to comply with the proposed conditions and trigger points and would take the application forward with the Council to ensure that approved plans were adhered to.

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

A member of the Committee considered the application to be an improvement on similar scale applications he had seen and was happy to support this, noting the assurances given by the applicant.

Another member of the Committee, who was Ward Member for Western Felixstowe, spoke at length on the application. He noted that the development would border his Ward and would greatly impact its residents.

The Member noted the allocated site was never part of the issues and options consultation document used in the making of the Suffolk Coastal Local Plan and was part of the countryside

and outside of the parish boundary; he highlighted that the outline application had been rejected by the former Suffolk Coastal District Council for what he considered to be many good planning reasons but had been allowed on appeal by the Secretary of State. The Member said this led to the allocated site in the Local Plan and the further destruction of habitat and agricultural land; he reluctantly accepted that the land would be developed but stated this needed to be done to the highest possible standards.

The Member disagreed with the assessment that the impact on wildlife would be minimal and was of the view that wildlife currently on the site would be lost. The comments of Felixstowe Town Council were supported by the Member and he was greatly concerned about the foul water drainage, highlighting existing issues in the area that Anglian Water had not been able to remedy over the previous 30 years. The Member noted that the last time there had been flooding in the area it had been significant and had required residents to lift manhole covers to relieve pressure.

On the subject of renewable energy, the Member said it was important to consider the climate emergency declared by the Council when approving development and was therefore concerned that the conditions on conservation of energy were silent on established technology such as ground source heat pumps; the Member highlighted that other major developments were introducing or even retrofitting similar technologies.

Gulpher Road was described by the Member as the gateway to the local countryside and considered that it needed to be preserved, suggesting that the proposed school site access be moved to the southern end of the site. The Member added that the junction to Gulpher Road was narrow and already suffered from considerable congestion. The Member concluded his speech by stating that given his concerns, he could not support the application.

Another member of the Committee, who was also Ward Member for Western Felixstowe, stated that although he was satisfied on issues relating to boundary treatment and existing water courses, and welcomed conditions on design, he remained concerned about a number of issues.

The Member accepted the principle of development on the site but retained concerns about the adequate provision of surface water run off and foul water treatment, as well as details on renewable and alternative energy sources; he noted that Persimmon Homes 'fabric first' approach would not allow for ground source heat pumps to be installed after housing units have been constructed. The Member confirmed that he would be voting against the application.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

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

RESOLVED

That subject to the Suffolk RAMS contribution the application be **APPROVED** subject to the following conditions:

If the Suffolk RAMS contribution is not received or secured within two months then **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management on the grounds that the proposal does not adequately mitigate the impact of the development on designated sites.

Conditions:

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

Received 11 December 2020:-

956-P-180 Rev E - Site location plan

E3893-Felixstowe- Phase 1A Drainage Strategy-Rev 4 dated November 2019

956-P-100 Rev G - Planning Layout Sheet 1

956-P-101 Rev F - Planning Layout Sheet 2

956-P-102 Rev F - Planning layout Sheet 3

956-P-103 Rev F - Planning Layout Overview

956-P-104 Rev F - Movement and connectivity plan

956-P-110 Rev F and 111 Rev E - Character Areas

956-P-152 Rev E - Materials Schedule

956-P-116 - Mews Court Entrance

956-P-120 Rev F and 121 Rev E - Storey height layout

956-P-130 Rev F and 956-P-131 Rev E - Refuse strategy

956-P-140 Rev G and 956-P-141 Rev G - Parking Allocation

956-P-160 Rev F and 161 Rev E - Affordable housing layout

956-P-190 Rev D, 191 Rev D and 192 Rev D - Boundary treatment

956-P-019 Rev B and 020 Rev C - Cromer: Character Areas 1 and 4

956-P-021 Rev B, 022 Rev C and 023 Rev B - Hadleigh: Character Areas 2, 3 and 4

956-P-030 Rev B, 031 Rev C and 032 Rev C - Hopton: Character Areas 1, 2 and 4

956-P-033 Rev B and 034 Rev C - Longthorne: Character Areas 3 and 4

956-P-037 Rev B and 039 Rev C - Morden: Character Areas 1 and 4

956-P-041 Rev B and 042 Rev C - Newton: Character Areas 2 and 3

956-P-043 Rev E - (Newton floor plans: Character Area 4)

956-P-043.1 Rev E - (Newton elevations: Character Area 4)

956-P-044 Rev C and 046 Rev A - Oulton: Character Areas 1 and 4

956-P-047 Rev B - Ripley: Character Area 1

956-P-048 Rev B, 049 Rev B and 050 Rev B- Rufford: Character Areas 1, 2 and 4

956-P-053 Rev C and 054 Rev C - Souter: Character Areas 3 and 4

956-P-055 Rev C and 060 Rev B- Sutton: Character Areas 3 and 2

956-P-062 Rev A and 063 Rev B - Alnmouth: Character Areas 2 and 4

956-P-064 Rev A - Charnwood Corner: Character Area 2

956-P-065 Rev B and 066 Rev A- Charnwood Corner: Character Areas 3 and 4

956-P-065.1 Charnwood - Character Area 3

956-P-067 and 068 - Charnwood Danbury Corner: Character Area 2

956-P-069 - Charnwood Danbury Corner: Character Area 4

956-P-070 - Cromer: Character Area 2

956-P-071 and 073 - Danbury: Character Areas 1 and 4

956-P-074 Rev B, 075 Rev A and 076 Rev B - Greenwood: Character Areas 2, 3 and 4

956-P-077 Rev A and 078 Rev B - Kielder: Character areas 3 and 4
956-P-079 Rev A - Morden: Character area 2
956-P-080 Rev C, 081 Rev B and 082 Rev B - Piel: Character area 4, elevations and floor plans
956-P-083 Rev B - Rufford: Character area 3
956-P-084 Rev A - S103H: Character area 2
956-P-085 Rev A, 086 Rev B and 087 Rev B - Sherwood: Character areas 2, 3 and 4
956-P-088 Rev A - Souter: Character Area 2
956-P-090 Rev B - Sutton: Character Area 4
956-P-091 Rev A, 092 Rev A and 093 Rev B - Taunton: Character Areas 2, 3 and 4
956-P-094 Rev A and 095 Rev B - Whiteleaf: Character Areas 2 and 3
956-P-096 Rev A - Whiteleaf V3: Character Area 2
956-P-097 Rev A, 098 Rev A and 099 Rev B - Whiteleaf V4: Character Areas 2, 3 and 4 Plans received 19 October 2020:
956-P-204 - Double carport
956-P-061 - Substation
956-P-061.1 - Bin and cycle store
956-P-099.1 - Whiteleaf: Character Area 4
JBA 19/033-01 Rev J - Soft Landscaping
JBA 19/033-02 Rev J - Soft Landscaping
JBA 19/033-03 Rev J - Soft Landscaping
JBA 19/033-04 Rev J - Soft Landscaping
JBA 19/033-05 Rev J - Soft Landscaping
JBA 19/033-06 Rev J - Soft Landscaping
JBA 19/033-07 Rev J - Soft Landscaping
JBA 19/033-08 Rev J - Soft Landscaping
JBA 19/033-09 Rev J - Soft Landscaping
JBA 19/033-10 Rev J - Soft Landscaping
JBA 19/033-11 Rev J - Soft Landscaping
JBA 19/033-12 Rev J - Soft Landscaping
JBA 19/033-13 Rev J - Soft Landscaping
JBA 19/033-14 Rev J - Soft Landscaping
956-P-153 Rev B and 154 Rev B - Fence specification
956-P-200 - Single garage
956-P-201 - Double garage
956-P-202 - Triple garage
956-P-203 - Quadruple garage
956-P-402 - Pump station detail received 7 August 2020:

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

2. No more than ninety-nine (99) dwellings shall be occupied until the footway from Gulpher Road, as shown on drwg.no. 956-P-100 Rev G, has been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

3. No more than ninety-nine (99) dwellings shall be occupied until the footpath/cycleway links and the hoggin path, as shown on drwg.nos. 956-P-100 Rev G, 956-P-101 Rev F, 956-P-102 Rev F and 956-P-104 Rev F, have both been completed in accordance with details that

shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

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

Reason: To ensure that the development delivers ecological enhancements.

5. Prior to any works above slab level details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

6. The landscaping scheme shall be fully implemented in accordance with the details shown on drwg. nos JBA 19/033-01 Rev J - JBA 19/033-14 Rev J prior to the occupation of any dwelling. Notwithstanding the landscape drawings hereby approved, no above ground construction shall commence until a scheme of soft landscaping for the areas around the basins (to the east of the care home site and in the north west corner of the site) has been submitted to and approved by the Local Planning Authority. That scheme of soft landscaping shall be to a scale of not less than 1:200 and include a programme for its delivery. The approved scheme of soft landscaping works shown on the drawings listed above and on those agreed for the areas around the basins, shall thereafter be implemented in accordance with the agreed programme. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

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

7. All hedges or hedgerows within the site, unless indicated as being removed on the approved drawings, shall be retained for at least five years following practical completion of the approved development, unless otherwise agreed by the Local Planning Authority; and these hedges shall be protected by the erection of secure fencing, to the satisfaction of the Local Planning Authority in accordance with the relevant British Standards (BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) for the duration of works on site.

Within the aforementioned five-year period any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

8. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

Informatives:

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

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@east Suffolk.gov.uk A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

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

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

10 DC/20/3852/FUL - Part Land off Watermill Road, Newbourne, IP12 4NP

The Committee received report **ES/0646** of the Head of Planning and Coastal Management, which related to planning application DC/20/3852/FUL.

The application sought permission for the use of land for stationing of two holiday lodges at land off Watermill Road, Newbourne, IP12 4NP.

The application was presented to the Referral Panel on 22 December 2020 as officers were minded to approve the application, contrary to a holding objection from a statutory consultee (Suffolk County Council Flood and Water Team), Newbourne Parish Council's objection and an

objection from one of the Ward Members. The Referral Panel considered that there were material planning considerations which warranted further discussion by the Committee.

The Committee received a presentation on the application from the Planning Manager, who was presenting on behalf of the case officer.

The site's location was outlined. The Planning Manager referred to the extensive planning history on the site and noted a previous application for four lodges on the site that was withdrawn following discussions between the applicant and officers.

In addition to the objections from Newbourne Parish Council and a Ward Member, eight letters of objection had also been received from third parties.

The Committee was shown an aerial view of the site, which demonstrated the four existing lodges and the proposed location for the two new lodges. The new lodges would be adjacent to the existing ones. The Planning Manager detailed the site access.

The site layout plan and block plan were displayed.

The Committee received photographs showing the following:

- the southern (main) access
- the northern access
- looking north towards the site from the access
- looking east towards the existing lodges
- looking north-east towards the existing lodges
- looking north towards the landscaping bund and two previously consented plots
- looking east to the site of the proposed plots
- adjacent to the existing landscaping bund
- looking towards properties on Mill Road
- looking south-east towards the existing lodges
- looking south towards the existing lodges and access

The main considerations were summarised as tourism benefit, highways impact, land contamination, flood risk, landscape/ecology impact, and the impact on residential amenity.

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

The Chairman invited questions to the officers.

It was confirmed that the site was owned by the applicant and the lodges would be sold as holiday accommodation.

A member of the Committee expressed concern about the number of this type of application in the area and asked if anything could be done to limit the time the lodges could be occupied. The Planning Manager advised that each application needed to be considered on its own merits and that there was a finite number of lodges that the site could accommodate. The Planning Manager assured the Committee that the lodges would not be

used as a second homes and a condition was recommended to limit their use for holiday purposes only.

The Planning Manager advised that to comply with this condition the site operator would be required to maintain a register of use including the main residential address of the occupants of the lodges. Owners of the holiday lodges would be required to provide these details to the site operator.

The Planning Manager confirmed that the lodges would conform to the definition of 'caravans' set out in paragraph 29(1) of the Caravan Sites and Control of Development Act 1960.

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

The Chairman stated she was disappointed that there had been no public speaking on the application, given the objections that had brought it to the Referral Panel and in turn the Committee. She was in support of the application.

Another member of the Committee referred to similar sites in his Ward and highlighted the benefits that increased tourism would be bring to the area.

It was noted by a member of the Committee that the proposed condition regarding holiday use would allow enforcement action to be taken should the lodges be used for second homes.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

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

RESOLVED

That the application be **APPROVED**, subject to conditions as outlined below.

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's LSDP11260-03 Rev A received 29/09/2020 and the site location plan received 16/12/2020.

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

3. The two lodges herein referred to shall meet the definition of a 'caravan' (as stated in the planning statement received on 29th September 2020) provided by the Caravan Sites and Control of Development Act 1960 as amended or any Order/Act revoking or re-enacting the said Act. Only structures which meet this definition shall be placed on the site.

Reason: For the avoidance of doubt as to what has been considered and approved; only the siting of structures which meet the definition of a caravan have been granted on this site.

4. Full details of the proposed sewage treatment plant, including Environment Agency Registration or Permit Number, siting of unit, design and projected loading of unit, together with final discharge point, shall be submitted to the local planning authority. Only a scheme approved in writing by the local planning authority shall be implemented at the site and shall be fully operational before the units are occupied.

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

5. The use shall not commence until the area within the site shown on Drawing No: LSDP11260-03 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The access shall be improved and maintained in accordance with drawing DM01 with the access properly surfaced with a bound material for the minimum distance of 15 metres from edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority, prior to the first use of the hereby permitted units.

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

7. The visibility splays shall be maintained with an X dimension of 2.4m and a Y dimension of 90m in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk

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

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

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

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

9. The holiday cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The hereby approved holiday cabins shall not be occupied between 05 January and 05 February in any calendar year. The owners/operators shall maintain an up-to-date register of: all the owners/occupiers of the individual cabins on the site; and their main home addresses and shall make the register available to the local planning authority upon request.

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.

10. Prior to first occupation, a landscape and ecological enhancement strategy for the site shall be submitted to and approved in writing by the local planning authority. Landscaping and ecological enhancements will be implemented in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy unless otherwise approved in writing by the local planning authority.

Reason: In the interests of protecting and enhancing the local rural environment, including the ecological environment.

Informatives:

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

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's East Area Manager must be contacted on Telephone: 01728 652400.

Further information can be found at: www.suffolk.gov.uk/environment-andtransport/highways/dropped-kerbs-vehicular-accesses/

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

The meeting concluded at 5:27 pm

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Chairman