

Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 27 October 2020** 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 Tony Fryatt, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

Other Members present:

Councillor Paul Ashdown, Councillor David Ritchie

Officers present:

Liz Beighton (Planning Manager), Jamie Behling (Trainee Planner), Sarah Carter (Democratic Services Officer), Grant Heal (Planner), Matt Makin (Democratic Services Officer), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner), Tim Snook (Commercial Contracts Manager - Leisure)

1 Apologies for Absence and Substitutions

There were no apologies for absence.

2 Declarations of Interest

Councillor Stuart Bird declared Local Non-Pecuniary Interests in both items 11 and 12 of the agenda as a member of Felixstowe Town Council and the Chairman of that council's Planning and Environment Committee.

Councillor Mike Deacon declared Local Non-Pecuniary Interests in both items 11 and 12 of the agenda as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

There were no declarations of lobbying.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 25 August 2020 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0536** 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 29 September 2020. The report detailed 15 such cases.

The Planning Manager updated the Committee on the outstanding enforcement case at Willow Farm, Chediston Green, Chediston and confirmed that compliance had now been achieved at the site as per the Enforcement Notice served.

There being no questions to the officers, the Chairman moved to the recommendation as set out in the report.

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

RESOLVED

That the report concerning outstanding enforcement matters up to 29 September 2020 be received and noted.

6 DC/20/1033/FUL - Easton Farm Park, Sanctuary Bridge Road, Easton, IP13 0EQ

The Committee received report **ES/0537** of the Head of Planning and Coastal Management, which related to planning application DC/20/1033/FUL.

The application sought the construction of a recreational lake and use for low ropes course to include reception and changing room building at Easton Farm Park, Sanctuary Bridge Road, Easton.

The application was presented to the Referral Panel on 16 June 2020 as officers were minded to refuse the application, contrary to the Parish Council's support. It was considered that there were material planning considerations which warranted further discussion by the Committee.

The application was due to be presented to the Committee on 21 July 2020 however, prior to the meeting, the Chairman of the Committee chose to defer the item to enable Members to visit the site.

The visit was considered necessary to allow Members to understand the landscape context and due to concerns regarding there being insufficient information regarding the heights and route of the rope course within the application submission. A site visit with Members was undertaken on 7 October 2020.

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

The site's location was outlined, and the Committee was shown aerial views of Easton Farm Park. The Principal Planner identified where within the park the application site was located.

A site map was displayed that outlined the application site's relationship with nearby Grade II listed buildings.

The Committee was provided with the site plan for the approved campsite to the north of the application site. It was noted that the campsite was subject to a close season in the winter.

The Principal Planner outlined the walking route taken by Members on the visit to the site.

Photographs were displayed showing the entrance to the site, views towards the approved campsite, views into the campsite, and a view of the application site from the campsite.

Additional photographs were displayed showing views from south looking back towards the application site.

The proposed block plan was outlined to the Committee. The Principal Planner explained that no further details regarding the route of the rope course and associated heights had been submitted since the application was deferred to enable the site visit.

The proposed elevations and floor plan for the barn were displayed along with a cross section of the proposed lake.

The Principal Planner displayed images supplied by the applicant that gave examples of the sort of low ropes course that would be installed; these examples only gave a rough indication of heights.

The main considerations were stated to be the benefits to tourism and the economy, additional attraction to the existing site, potential impact to the landscape, and potential impact to heritage assets.

The recommendation to refuse planning permission was outlined to the Committee. The Principal Planner drew the Committee's attention to the updated wording for the recommendation contained within the update sheet, which had been published on 26 October 2020.

The Chairman invited questions to the officers.

A member of the Committee noted a track marked on the site's location plan and sought confirmation that this was the footpath considered during the site visit; the Principal Planner stated the track was the footpath that had been considered.

The Chairman invited Mr Emley, the applicant, and Ms Siddall, from Easton Farm Park, to address the Committee.

Mr Emley said that it had been explained to Planning officers that the exact route or heights of the low ropes course could not be submitted until after the creation of the lake and considered that the example photos provided were a very close representation of what the course would look like.

Mr Emley outlined the details of the approved campsite, that would be in operation from 2021, and the existing and planned hedgerows that would screen the site from the road. Mr Emley

considered that the application site would also be hidden from the road and highlighted the photos he had submitted, showing a 6.5 metre pole he had planted in the application site and taken from a series of positions whilst walking back through the campsite towards the Easton-Hoo road. Mr Emley concluded that these photos showed that the site was not visible from the road without the full use of the campsite and the additional hedgerow planting.

Mr Emley considered that Easton Farm Park already had all the infrastructure needed for the proposed development, which would offer an energetic outdoor experience for groups of all ages and backgrounds from the local community.

Ms Siddall noted that Easton Farm Park had been a family destination since 1974 and had seen many changes in the site during that time; Ms Siddall said the present period was the most challenging period faced by the business and considered the approval given for the campsite enabled Easton Farm Park to get through summer 2020 with all its staff intact.

It was the view of Ms Siddall that the proposed development was a perfect fit for Easton Farm Park and highlighted that it had received overwhelming support from all quarters. Ms Siddall said that the development would offer an exciting and innovative family day out.

The Committee was advised by Ms Siddall that the field in which the development would take place was called the "Demo Field" in reference to its previous use. The proposed landscaping would ensure that the development was not harmful to views from the Easton-Hoo road and would sit adjacent to the existing playground and campsite.

Ms Siddall reiterated that it was difficult to provide exact details of the low ropes course as this was a new venture but gave assurances that the applicant would work with Planning officers during the build process to ensure minimal, if any, impact on the character of the landscape.

The Chairman invited questions to Mr Emley and Ms Siddall.

In response to a question on water safety Mr Emley confirmed that he was working with a similar site in Scotland, the only other course of this type in the United Kingdom, to learn from their experiences, risk assessments and staff training to develop a safe activity course. Mr Emley said that a safety officer would be on site when it was in operation.

A member of the Committee asked what consideration had been given to preventing access to the site to stop it being used unsupervised. Mr Emley considered that the fencing proposed would be difficult to climb over and that any concerns and risks would be mitigated as part of safety operation procedures.

Ms Siddall confirmed that the site had been selected as it is flat and in an out of the way area of Easton Farm Park. Ms Siddall considered it was near to a ditch area of the River Deben and that the development would fit well in the surroundings at the heart of Easton Farm Park.

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

A member of the Committee asked why this application was before the Committee and considered that if the application was for a dwelling it would be refused out of hand due to the lack of detailed information. In reply, the Planning Manager confirmed that officers held concerns that there were a lack of details for the development, regarding the low ropes course,

which did not allow officers to judge the potential impact of the development on the landscape and nearby heritage assets.

The Planning Manager reminded the Committee that a standard condition of planning permission was for development to accord with submitted plans in order to ensure that what has been approved is what has been developed. Officers were recommending that the Committee refuse the application as this detail was not forthcoming and that the application had been referred to the Committee by the Referral Panel as Easton Parish Council's recommendation of approval was contrary to the officer recommendation. The Planning Manager assured the Committee that the additional detail required had been sought repeatedly from the applicant throughout the process.

During the debate several members of the Committee expressed support for the development in principle but highlighted concerns about the lack of detail that was provided in the application. Members considered that to approve the application without this detail would result in a lack of control over what was developed on the site and give no recourse to enforcement action if it should be required.

One member of the Committee expressed concerns regarding safety in relation to the age groups targeted in the examples provided by the applicant, given that Easton Farm Park was predominantly an attraction for younger children.

A member of the Committee sought the view of the Planning Manager on deferring the application to allow the applicant to bring forward the details required. Both the Chairman and the Planning Manager reminded the Committee that the application had been deferred once already to allow the applicant to do this and the information had not been forthcoming. The Planning Manager noted the comments of Mr Emley and Ms Siddall about not being able to bring forward details of the low ropes course until the lake had been constructed and was of the view that a further deferral would not progress the situation.

Another member of the Committee also noted the unknown impact on the landscape and nearby heritage assets, as well as the impact on the Special Landscape Area, and agreed with the recommendation for refusal.

There being no further debate the Chairman moved to the recommendation to refuse planning permission, as set out in the report.

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

RESOLVED

That the application be **REFUSED** planning permission for the reason outlined below:

The application seeks the construction of a recreational lake and use for low ropes course, to include a reception and changing room building at Easton Farm Park, Sanctuary Bridge Road, Easton, IP13 0EQ.

It is accepted that this proposal would support the economic potential of Easton Park Farm through diversification of a rural economic activity. However, the adopted Local Plan Policies

would not support new development where it would be considered harmful to the character of the landscape.

In the absence of details of the precise route of the course within the lake the visual impact is not defined, but it is clear that there would be significant landscape impact arising from the lake and low ropes course upon this sensitive valley landscape.

The site lies within Landscape Character Area B7 Deben Valley of the Suffolk Coastal Landscape Character Assessment (2018) where the proposed development consists of an uncharacteristic feature on an otherwise unchanged highly characteristic and historical landscape, contrary to Local Plan Policies SCLP4.5(c), SCLP6.4(c), SCLP4.7(d) and SCLP10.4 and Paragraphs 127(c) and 170(a) of the NPPF. In this instance it is not considered that unacceptable adverse landscape impacts can be suitably mitigated.

Furthermore, insufficient information has been submitted in respect of the potential impacts to the nearby heritage assets, contrary to Local Plan Policy SCLP11.3 and paragraphs 189, 190, 193 of the National Planning Policy Framework.

7 DC/20/2081/FUL - 8 Haywards Fields, Kesgrave, IP5 2XH

The Committee received report **ES/0538** of the Head of Planning and Coastal Management, which related to planning application DC/20/2081/FUL.

The application sought permission to erect a one metre high fence around the front of the property, set back from the kerb. A previous 1.8 metre-high fence was erected on the boundary alongside the kerb which was subject to a previous application and subsequent appeal. The appeal was dismissed, and the fence taken down. The fence that was subject to this application had been erected and the application sought authority for its retention.

The application was presented to the Referral Panel on 18 August 2020 as Kesgrave Town Council had objected to the proposal which was being recommended for approval. The Referral Panel considered that given the previous refusal and appeal for a fence on the site and enforcement cases, the application should be determined by the Committee.

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

The site's location plan was outlined, as well as the block plan for the site.

The Committee was shown photographs of the fence that had been removed and the fence currently on the site. Photographs of nearby fences were also displayed. The Trainee Planner considered that the new fence was less intrusive on the character of the area than the fence it had replaced.

The main consideration was stated to be the design.

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

There being no questions to the officers the Chairman invited Mr Gibson, representing Kesgrave Town Council, to address the Committee.

Mr Gibson highlighted that the delegated report for the original fence had recommended refusal due to the fence dominating the area and being too prominent in the street scene. Mr Gibson noted that no other properties had erected fences in the area and considered that the new fence detracted from the area.

It was considered by Mr Gibson that the fence was a breach of the open plan design of the area and a breach of the covenant in the area. Mr Gibson acknowledged that the reduced form of the new fence could be acceptable in other areas but was of the view that it stood out in Haywards Fields. Mr Gibson stated that neighbours had objected to the application as they considered it detracted from the appeal to the area and Kesgrave Town Council supported this view.

Mr Gibson said that to approve the application would set a precedent for future, similar developments which would cause irreversible damage to the area. Mr Gibson considered the application was contrary to the Suffolk Coastal Local Plan and stated that Kesgrave Town Council contended the development was not in accordance with that plan's policies.

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

The Chairman opened the debate by stating she was in agreement with the view of Kesgrave Town Council; she said that the character of Kesgrave was its open plan nature with walkways and open spaces and would be disappointed if fences started appearing throughout the area. The Chairman stated she could not support the application.

Another member of the Committee agreed with this view and noted that other fences had been constructed in the area; he considered that there was a need to address and control this issue so that a precedent was not set. The Planning Manager noted that permitted development rights in Kesgrave had been removed for fences and that any constructed required planning permission. The Planning Manager confirmed that any developments reported were addressed through the planning enforcement process.

There being no further debate the Chairman moved to the recommendation to approve planning permission, as set out in the report. There being no proposer or seconder, the recommendation **FAILED**.

The Chairman sought an alternative recommendation to refuse planning permission.

The Planning Manager advised the Committee could, if it so wished, refuse the application on the grounds that it did not improve the character and quality of the area and was therefore contrary to both Paragraph 130 of the National Planning Policy Framework and policy SCLP11.1 of the Suffolk Coastal Local Plan.

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

RESOLVED

That the application be **REFUSED** as it did not improve the character and quality of the area and was therefore contrary to both Paragraph 130 of the National Planning Policy Framework and policy SCLP11.1 of the Suffolk Coastal Local Plan.

8 DC/20/2835/FUL - The Nursery, Main Road, Pettistree, IP13 0HH

The Committee received report **ES/0539** of the Head of Planning and Coastal Management, which related to planning application DC/20/2835/FUL.

The application sought permission for the siting of 10 shipping containers to facilitate self-storage use, together with associated parking facilities, security fencing, CCTV cameras and lighting at The Nursery, Main Road, Pettistree.

The application was presented to the Referral Panel on 6 October 2020 as officers were minded to approve the application, contrary to the objections of Pettistree Parish Council. The Referral Panel considered that there were material planning considerations which warranted 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 presentation provided aerial views of the application site which demonstrated its relationship to the A12 and the existing Suffolk Plant Centre site, as well as the B8 use on the nursery site. The site's location was also displayed.

The Committee was shown the proposed block plan. The shipping containers would be of a standard size and be no taller than 3 metres. The Planning Manager compared the proposed development to other self-storage sites across Suffolk that used shipping containers.

Photographs of the site were displayed which included stacked pallets to demonstrate the proposed height and location of the containers and the view of the site from Loudham Hall Road; in the latter photograph it was demonstrated that the pallets were visible from the road.

The proposed elevations and floor plans for the shipping containers were shown to the Committee. The containers would be green to better blend with their surroundings.

The Planning Manager noted that the application was in accordance with policy SCLP4.2 of the newly adopted Suffolk Coastal Local Plan, regarding employment use in rural areas.

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

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

Mr Hallett advised the Committee that Pettistree Parish Council objected to the application. It considered that the applicant was the tenant of an extensive plot of open land on the site and that given they had run out site at their site in Leiston, further applications would be difficult to resist if this application was approved which would result in a large container facility out of character with its surroundings.

It was noted by Mr Hallett that the containers would be sited on the ground occupying only a small corner of the land available to the applicant, which was the nearest point to the residences that had objected strongly to the application.

Mr Hallett stated that the vehicles using the facility would approach via the B1438 from the direction of Ufford, the A12, or through Wickham Market which was already suffering congestion issues. Mr Hallett considered that as access and parking would be shared with the Suffolk Plant Centre, the two facilities' operating hours being similar would cause pedestrian safety issues.

Mr Hallett noted the Planning Statement's assertion that the site would have an economic and social benefit for Wickham Market and Woodbridge; he also noted that there was no mention of any such benefit for Pettistree and the site would only provide one part-time job. Mr Hallett said that the Parish Council did not consider that the application satisfied the criteria for sustainable development as a result.

The Parish Council also considered that the screening provided by existing landscaping would not be adequate to shield the containers and the higher lights from view as the vegetation varied considerably throughout the year. The security fencing was also stated to be unsightly and Mr Hallett was of the view that the 4 metre high lighting would come on erratically as it would be PIR-activated by movements of vehicles, people and animals, which would contribute to light pollution.

Mr Hallett highlighted the comments from the Fire Service on the need for a better water supply and assurance that the hard standing and access road could take the weight of a fire engine with its water load.

Mr Hallett concluded that Pettistree Parish Council considered the development would be a new and unsightly intrusion into the existing facilities on the nursery site and that the application was an attempt to set a precedent to allow future, larger developments.

The Chairman invited questions to Mr Hallett.

When asked how many traffic movements per day would be produced by the proposed development, Mr Hallett said he had no exact figure but suggested that if all 10 shipping containers were in use then it would perhaps be five movements a day. Mr Hallett reiterated the Parish Council's main concern of the impact the development would have on the area.

The Chairman invited the Planning Manager to comment on Mr Hallett's concerns about the application leading to further development of the site in the future. The Planning Manager advised the Committee that it could only consider the application that was before it and not any possible applications that may or may not be made in the future; she confirmed that any future development would require separate planning permission and any applications would be considered on their own merits and may have a different impact on the area than the one before the Committee.

The Chairman invited Mr Price, agent for the applicant, to address the Committee.

Mr Price explained that the application site was part of a commercial horticultural nursery that has diversified; the site also contained a classic car restoration business, a B8 business, and a

nursery that also sells to the general public, all of which were granted planning permission by the former Suffolk Coastal District Council.

Mr Price considered that the site was now a successful operation and advised the Committee that the application today was not part of that nursery operation. The proposal was for a small-scale self-storage business as the applicant could not meet the demand for additional facilities on their site at Leiston.

It was Mr Price's view that the application was in accordance with policies SCLP3.4 and SCLP3.5 of the Suffolk Coastal Local Plan; he acknowledged the concerns of Pettistree Parish Council and objectors but considered that the development would cause demonstrable harm and would not have a negative impact on the character of the area.

Mr Price highlighted that the site would be well screened by existing mature vegetation and that the shipping containers, at a height of 2.96 metres, would not be visible from outside the site. Mr Price added that the applicant was willing to accept a condition to maintain the hedgerow at a height of 3 metres.

Mr Price said that the operation of the site would not be noisy, and the proposed hours would not generate high volumes of traffic movements as customers' visits to their storage were often infrequent.

Mr Price referenced that national and local planning policy noted the importance of enhancing the rural economy; he considered that the application was in line with these policies and encouraged the Committee to support the proposals.

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

A member of the Committee expressed concern about the shipping containers being stacked on top of each other and sought confirmation that the applicant intended to have containers at ground level; the Member also asked if a condition could be added to any planning permission to restrict the stacking of the containers. The Planning Manager advised that the containers would be at ground level and such a condition could be added.

A member of the Committee, who was also Ward Member for Leiston, said he was familiar with the applicant's other site and considered that it was not intrusive into the area. The Member was of the view that the application was a positive one.

Several members of the Committee spoke in support of the application, noting that it would be a low-key operation which could have the added benefit of encouraging customers to access other services in the area when visiting their storage. Members were content that the site would be well screened from the area.

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 Allen, seconded by Councillor Deacon it was by unanimous vote

RESOLVED

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

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed 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 QF-115 received 12/08/2020, the site location plan and block plan received 29/07/2020

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

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

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

4. Notwithstanding the submitted details, prior to the use commencing, details of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

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

5. The operating hours in connection with the use/containers hereby permitted, shall not be other than between 09:00 and 17:00 Monday to Saturday; and 10:00 and 16:00 Sundays unless otherwise agreed in writing by the local planning authority.

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

6. Prior to the installation of any boundary treatment, details of the location, height, materials and appearance of all fences, walls, gates and other means of enclosure, shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved fences, walls, gates or other means of enclosure shall be erected on site.

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

7. The existing hedgerow on the northern site boundary shall be retained at a height of at least 3 metres for the duration of the hereby permitted use

Reason: In the interests of visual amenity.

8. The hereby permitted storage containers shall be single height only with no stacking.

Reason: In the interests of visual amenity as double height containers would be an uncharacteristic feature within the rural landscape which would not conform with the development plan.

Informatives:

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

The meeting was adjourned at this point (3.19 pm) for a short break and was reconvened at 3.30 pm.

9 DC/20/1035/FUL - Former Rendlesham Sports Centre Site, Walnut Tree Avenue, Rendlesham, IP12 2GF

The Committee received report **ES/0540** of the Head of Planning and Coastal Management, which related to planning application DC/20/0135/FUL.

The application site was located within the Rendlesham District Centre and currently comprised an area of open land. Previously, Rendlesham Sports Centre was located on the site. The application proposed the erection of 11 affordable homes and three retail units with associated access and parking.

The application was presented to the Committee on 21 July 2020 and it resolved to grant planning permission for the development, subject to completion of a Section 106 Agreement. No decision had been issued as the Section 106 Agreement had not been finalised.

Since the resolution to approve the application, the Council had adopted the new Suffolk Coastal Local Plan. Within the new Local Plan were some policies which required further provisions, above what the former Local Plan had required. Therefore, as any decision made after the adoption of the new Local Plan required the application to be determined in accordance with this document, it was considered prudent that the application be presented to the Committee for it to consider the proposal with full weight being given to the new Suffolk Coastal Local Plan.

The proposal had not changed since it was previously considered by the Committee, with the exception of the addition of electric car charging points and a contribution to Suffolk County Council for secondary school transport by Section 106 agreement, and whilst it was not clear that the current proposal complied in all respects with the new Local Plan, the additional requirements were technical and did not affect the principle of the development.

Prior to the presentation, the Chairman invited the Planning Manager to address the Committee on a recent development with the application. The Planning Manager explained that a request had been made to the Secretary of State for Housing, Communities and Local Government for him to call in the application for determination. The Committee was advised that this request did not impact on the Committee making a decision on the application today

but that the Council would need to inform the Secretary of State of the Committee's decision and the issue of any planning permission would be delayed until a decision had been made on whether the application is to be called in.

The Chairman invited questions to officers.

The Senior Planner advised that officers were unaware of the rationale for the call-in request at this time.

The Committee received a presentation on the application from the Senior Planner, who was acting as the case officer. The Committee was advised of a further letter of objection that had been received from Rendlesham Parish Council, which was contained in the update sheet published on 26 October 2020.

The site's location was outlined, and the Committee was shown photographs of views in and out of the site from various different locations.

The proposed site layout, elevations and floor plans were displayed.

The main considerations were stated to be the principle of development previously being considered acceptable and that policy change had occurred (particularly the adoption of the new Suffolk Coastal Local Plan).

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

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

Members of the Committee considered there were no significant changes that changed their minds from the original resolution in July 2020. Members considered the scheme to be a positive one and making good use of a redundant site.

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

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

RESOLVED

That the application be **APPROVED** subject to controlling conditions below and the completion of a Section 106 Agreement to secure the affordable housing and a contribution to secondary school transport.

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed 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 Drawing Nos. 7641 24B and 7641 25, Planning Statement, Design and Access Statement and Preliminary Ecological Appraisal received 3 March 2020, Ground Investigation Reports received 17 March 2020, Flood Risk Assessment received 16 April 2020, Drawing Nos. 7641 21B, 23D and SLSP/15/0002 Rev 2 received 22 May 2020, External Timber Bin Storage received 9 July, 7641 20P received 24 August 2020, Air Quality Report received 14 September 2020 and Ground Investigation Report reference TEB/ABS/17.347A and DJM/17.347/ADD for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The construction of Plots 1 to 5 shall not be commenced until the new Sycamore Drive vehicular access, located to the east of Plots 1 to 5, has been laid out and completed in all respects in accordance with the Site Access Strategy Drawing No.SLS P/15/0002 Rev 2; with clear visibility at a height of 0.6 metres above the carriageway level cleared and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 41.4 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y1 dimension), and with clear visibility at a height of 0.6 metres above the footway/cycle track level cleared and thereafter permanently maintained in that area between the back of the footway/cycle track and a line 2.4 metres from the back of the footway/cycle track at the centre line of the access point (X2 dimension) and a distance of 15.8 metres in each direction along the back edging of the footway/cycle track from the centre of the access (Y2 dimension). Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification.
Site Specific Reason: Due to the locational relationship between the building line, the access centreline, the curved kerb and edging lines and the HV cable easement areas, this condition is required to ensure that the building frontage of Plots 1 to 5 does not conflict with the required minimum visibility splays that are to be formed with Y dimensions measured along the relatively tight radius carriageway and back of cycle track edge lines.

5. Within 3 months of the commencement of development, details of the areas to be provided for residents and employees', secure covered 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 of long term cycle storage in accordance with Suffolk Guidance for Parking (2019).

6. Within 3 months of the commencement of development, details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision of electric vehicle charging points in accordance with Suffolk Guidance for Parking (2019).

7. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

8. The use shall not commence until the areas within the site shown on Drawing Number 7641- 20-REV-P for the purposes of loading, unloading, manoeuvring and parking of vehicles, and retail element visitor cycle parking, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

9. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 7641-20-REV-P shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

10. Before the development is commenced, a Service Management Plan (SMP) regarding the retail units shall be submitted to and approved in writing by the Local Planning Authority. The Service Management Plan (SMP) shall describe the means of servicing and times of deliveries and means provision for servicing/delivery vehicles. The SMP should identify exactly how and what types of vehicles are anticipated for the commercial uses and their delivery times should also be detailed to demonstrate that the proposed system would work. Any measures described in the SMP shall be implemented within the time period identified and adhered to thereafter.

Reason: In the interests of highway safety, the SMP is required to ensure that the impact from retail unit service and delivery traffic operations on existing users of Walnut Tree Avenue is minimised.

11. Prior to commencement of any residential dwelling hereby approved, a Traffic Regulation Order (TRO) shall be progressed that seeks to extend the existing on street waiting prohibition to prevent parking on the inside bend of Sycamore Drive obstructing the western visibility splay of the new access east of Plots 1-5. Prior to the commencement of development, the developer shall deposit a sum of £15,000.00 to cover Suffolk County Council's costs and fees associated with progressing and implementing the TRO. Five years after the development's formal completion date, any balance of the £15,000.00 remaining shall be returned to the developer.

Reason: In line with MfS guidance the development is such that a TRO is required to ensure that parked vehicles would not interrupt visibility splays in order to make the application acceptable.

12. 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.

13. 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 in writing 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.

14. 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.

15. 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 in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- 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.

16. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Practical Ecology, January 2020).

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

17. Prior to occupation, 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.

18. 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 enhancements measures will be delivered in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

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

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

- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

20. Prior to any occupation or use of the approved development the RMS approved under condition 19 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

22. 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.

23. Prior to commencement of development, a noise survey shall be undertaken and a report submitted. The survey shall be undertaken by a competent person and shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on BS8233-Guidance on sound insulation and noise reduction for buildings, given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in daytime: 50 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAmax)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAmax)

The report shall also consider noise from existing and proposed fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90) should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. This shall be based on BS4142:2014 Methods for rating and assessing industrial and commercial sound. All detail and appropriate consequential noise mitigation measures shall have been agreed, in writing, by the Local Planning Authority and shall be implemented prior to occupation of any building on the site and shall be maintained as agreed thereafter.

Reason: To ensure that noise from the commercial development is not detrimental to the residential amenity of neighbouring residents.

24. No piling operations shall be undertaken unless the details and method of piling is previously agreed in writing with the Local Planning Authority.

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

25. Prior to the commencement of development, a Construction Management Plan, to identify how the potential for nuisance from demolition/construction site dust, noise and light

will be controlled, shall be submitted to and approved in writing by the local planning authority. This should include site working times and should be agreed and approved by the LPA prior to any work on site taking place. All construction works shall be carried out in accordance with the approved Construction Management Plan.

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

26. There shall be no burning of any material on site.

Reason: In the interest of residential amenity.

27. Prior to occupation of any of the properties (residential or commercial) hereby permitted, a management plan for maintenance of the communal areas to include, but not limited to, the access road, parking and turning areas and the landscaped areas shall have been submitted to and approved in writing by the local planning authority. The maintenance plan should include long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the communal areas are properly maintained in the interest of visual amenity.

28. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

29. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

30. Within 6 months of the commencement of development, precise details of all of the means of enclosure (i.e. hedgerows, fences, gates, walls etc.) shall have been submitted to and approved by the Local Planning Authority. Prior to occupation of any of the dwellings or commercial units hereby approved, all boundary treatments shall The approved means of enclosure shall thereafter be retained in their approved form.

Reason: In the interests of visual and residential amenity.

31. Prior to occupation of the 5th dwelling hereby permitted, all three of the commercial units shall have been completed and be made ready for occupation.

Reason: To ensure that the commercial units are delivered in a timely manner ensuring the supply of community infrastructure within the District Centre.

32. Prior to the use commencing, details of an external lighting scheme shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and retained in its approved form.

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

33. The three commercial units hereby permitted shall be used for purposes within Class E as set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

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

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

4. In relation to Condition 5, details of cycle storage sheds are not yet provided. Sheds are usually located in private secure gardens. Residential Long term Cycle Storage in Communal Areas needs appropriate security measures Sheffield stands are suitable for short term customer/visitor parking but not for longer term employee cycle parking.

5. In relation to Condition 10, the Transport Statement has suggested timings of delivery windows and maximum service vehicle types and sizes (Rigid 10.5m or 12m length).

6. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

7. The infiltration rate used for design purposes is (21.39mm/hr), a figure obtained through a soakage test undertaken at Trial Pit Number SA05. The soakage test was undertaken at a depth of 5.0mBGL, whereas the invert level of the soakaway is proposed at 4.1mBGL, presenting concerns as to whether the proposed infiltration rate is a realistic representation of the actual infiltration rate at the depth of the soakaway. It is noted that the proposed 4.1mBGL invert level is situated on the border of the clay and sand layers identified within the borehole associated with SA05. It is recommended that further infiltration testing, in accordance with BRE 365, is undertaken at the location of the proposed soakaway. The depth of the soakage test should be in accordance with the invert level of the proposed soakaway to provide an accurate representation of the infiltration capacity at the proposed soakaway location. The additional soakaway tests would also demonstrate whether the clay layer close to the proposed invert level would have an adverse impact on the achievable infiltration rate. The half empty time of the soakaway design is 13,634 minutes (227.23 hours), significantly above the maximum 24 hours requirement. The design should ensure there is sufficient storage for both the 1:100 +40% and 1:10 +40% event combined as the half drain times are insufficient. It would be useful to understand where the pollution mitigation incidencies associated with the proposed Polypipe Permacceptor Diffuser derive from as this information does not appear to be present within table 26.4 of the CIRIA SuDs Manual as suggested within the Drainage Strategy.

8. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

9. The applicant's attention is drawn to the comments from the Designing Out Crime Officer and it is encouraged that as many of these suggestions are incorporated into the scheme to help achieve a safe environment.

10 DC/19/2513/FUL - Land North of Mill Close, Orford, Woodbridge, IP12 2FE

The Committee received report **ES/0541** of the Head of Planning and Coastal Management, which related to planning application DC/19/2513/FUL.

The application site was located on the western side of Ipswich Road on the edge of Orford. The site was allocated for a residential development of approximately 10 dwellings in Policy SCLP12.57 of the Suffolk Coastal Local Plan. The application proposed the construction of 11 dwellings served off two accesses.

The application was previously presented to the Referral Panel on 26 May 2020 as, whilst the application accorded with the adopted Local Plan at the time of consideration, Orford with Gedgrave Parish Council had objected to the proposal.

Although the concerns of the Parish Council were understood, the principle of the development had been established in the allocation of the site for residential development. It was considered that the proposed design and layout of the scheme was acceptable and there were no other technical reasons why the application should be refused. The Referral Panel considered that there were no significant issues to discuss that warranted debate by the Committee and therefore delegated determination to the Head of Planning and Coastal Management.

A decision on the application had not been issued as works had been progressing on a Section 106 agreement in relation to the proposal. Since this application was considered by the Referral Panel, the new Suffolk Coastal Local Plan had been adopted and whilst the site remains allocated, the new Local Plan had further requirements in some respects that were not required by the previous Local Plan.

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

The site's location plan was outlined, and the Committee was shown photographs looking into the site, looking towards the site from Ipswich Road, and views towards the site where Orford Castle was in prominent view.

The proposed site layout plan was displayed. The Senior Planner explained that the development had been designed to not impact on views of Orford Castle on the approach to Orford.

The proposed elevations and example floor plans were displayed.

The Senior Planner noted the concerns of Orford with Gedgrave Parish Council in respect of meeting Orford's housing needs and outlined the housing mix that was proposed.

The main considerations were stated as the principle of development, impact on landscape, design and layout, and housing mix.

The recommendation to delegate authority to approve 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 Senior Planner confirmed that issues around access and visibility splays had been resolved and the Highways Authority had removed its objections, now recommending conditions, and that there had been no objections from the Local Flooding Authority.

The Chairman invited Mr Cobbold, agent for the applicant, to address the Committee.

Mr Cobbold highlighted that the application site had been allocated for development in the previous Suffolk Coastal Local Plan and was likewise allocated in the newly adopted Suffolk Coastal Local Plan. Mr Cobbold explained that the application was a resubmission, the original scheme having been discussed with Planning officers and amended to address concerns raised. Construction would use bespoke materials and a mix of different types and sizes of dwellings would be built; Mr Cobbold noted that three of the dwellings would have studies which was very important as more people were required to work from home due to the COVID-19 pandemic.

Mr Cobbold considered that the development was a low-density scheme that would create a more rural and informal sequence of buildings and a major design influence had been continuing the views of Orford Castle from the main road. The site would be linked to the countryside by pathways and vehicular access to the site was appropriate. Mr Cobbold said the development was a high-quality interpretation of the pattern of development in Orford.

It was noted by Mr Cobbold that delegated authority had been given to the Head of Planning and Coastal Management to approve the application previously, and that the delay in the completion of the Section 106 agreement was why the planning permission had not been issued prior to the adoption of the new Suffolk Coastal Local Plan. Mr Cobbold advised the Committee that the Section 106 agreement was now with the Council's legal team for sign-off.

Mr Cobbold acknowledged the changes in the new Suffolk Coastal Local Plan; he highlighted that the application was accompanied by a flood risk assessment that had been deemed acceptable and considered that the proposed housing mix met the aims and objectives of the new policy. Mr Cobbold added that the Section 106 agreement would help meet the local need identified by the Orford Town Trust and asked the Committee to support the application.

The Chairman invited questions to Mr Cobbold.

When asked how the development would meeting the housing needs of Orford, Mr Cobbold noted there was no up to date information but considered the development met the need for one, two and three bedroom properties in Orford identified by the Orford Town Trust, as detailed on page 111 of the report.

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

One member of the Committee expressed concern that the properties with studies could use them as additional bedrooms and would be too expensive for residents; she also noted that the design of the development was a positive one. The Senior Planner noted that there were no direct figures for open market housing need and that the Council's Housing team was working with the applicant on affordable housing provision as part of the Section 106 agreement. The Senior Planner highlighted that the application had been brought to the

Committee so its housing mix could be considered against new policies to ascertain if met local housing needs; it was the view of officers that this was the case.

Another member of the Committee was in favour of the application, noting that the new dwellings could allow residents to downsize and free up larger properties in Orford.

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

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

RESOLVED

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management subject to both the completion of a Section 106 agreement and the controlling conditions listed below.

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed 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 the following:

- Planning Statement including Design and Access Statement and Landscape Assessment received 24th June 2020;
- Drawing nos. 4233- 6-P1, 7-P1, 8-P1, 9-P2, 11-P1, 12-P1, 13-P1, 14-P1, 15-P1, 16-P2, 17-P1, 18-P1, 19-P1, 20-P1, 21-P1, 22-P1, 23-P2, 24-P2, 25-P2, 26-P2, 27-P1, 28-P1, 29-P2, 33-P2, 34-P1, 36-P1 and 37-P1 all received 23 October 2019;
- Site plan received 6 February 2020;
- 50/P2, 1/P8 and traffic information received 6 April 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. No building work on any of the dwellings hereby approved shall commence until precise details and/or samples of the roof and wall materials and finishes to be used have been submitted to and approved in writing by the local planning authority.

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

4. Prior to the commencement of any of the dwellings hereby permitted, a plan showing that adequate provision is made for fire hydrants to serve the development shall be submitted to and approved in writing by the local planning authority. The approved scheme shall

be implemented in full prior to occupation of any of the dwellings hereby permitted and shall be retained in its approved form thereafter.

Reason: In the interests of safety, to ensure that there are adequate fire hydrants on the site in the case of fire.

5. 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.

6. 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 in writing 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.

7. The development hereby permitted shall not be occupied until 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.

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

- 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.

9. 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.

10. The mitigation (including sensitive external lighting) and enhancement measures identified in the ecological survey report (Hillier Ecology, April 2019) shall be implemented in full.

Reason: To ensure that there would be no harm to protected and priority species as result of the development.

11. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

12. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged

or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

13. Prior to occupation of any of the dwellings hereby permitted, a management plan for maintenance of the access drive, the associated landscaped areas and the open space shall be submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the public areas are properly maintained in the interest of visual amenity.

14. No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of the East Suffolk Council - Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).

15. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 14 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological

assets affected by this development, in accordance with Policy SCLP11.7 of the East Suffolk Council - Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).

16. No other part of the development shall be commenced until the TWO new vehicular accesses have been laid out and completed to the layout indicatively shown on Drawing No 1/P8 to details previously approved in writing by the Local Planning Authority; with clear visibility at a height of 0.6 metres above the carriageway level cleared and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of EACH access point (X dimension) and a distance of 100 metres in the NORTHERLY directions along the edge of the metalled carriageway from the centre of the access (YNORTHERLY dimension) and a distance of 52 metres in the SOUTHERLY directions along the edge of the metalled carriageway from the centre of the access (YSOUTHERLY dimension). 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. Thereafter the accesses shall be retained in the specified form.

Reason: Existing roadside hedge will be required to be cut back or cut down to prevent obstruction of the proposed visibility splays. Affected lengths of hedge may be outside the control of the applicant. This pre-commencement condition will ensure that any issues involved in clearing the visibility splays are resolved before development commences. In the interests of highway safety to ensure the approved layout is properly constructed and laid out and that vehicles exiting the accesses 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.

17. 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.

18. 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.

19. Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including electric vehicle charging points, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of highway safety and sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking SGP(2019) where on-street parking and

manoeuvring could be detrimental to highway safety. This needs to be a precommencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. Garage sizes need to conform with SGP(2019) to count as car parking spaces.

20. Before the development is commenced, details of the areas to be provided for secure, covered 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: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long term maintenance of adequate on-site space for the storage of cycles in accordance with Suffolk Guidance for Parking. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. Garage sizes need to conform with SGP(2019) to count as both car parking and cycle storage spaces.

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

Reason: In the interests of highway safety, to ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

22. Before any dwelling is first occupied, the 1.8 metre wide frontage footway, complete with an extension linking to the existing footway located to the south, shall have been laid out and completed to the layout indicatively shown on Drawing No 1/P8 to details previously approved in writing by the Local Planning Authority. Thereafter the footway shall be retained in the specified form.

Reason: In the interests of highway safety and to promote sustainable travel, to ensure the provision and long term maintenance of a safe and suitable pedestrian link to the existing footway network.

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

4. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-developmentadvice/application-for-works-licence/>

11 DC/20/3067/FUL - Seaton Recreation Ground, Seaton Road, Felixstowe, IP11 9BS

The Committee received report **ES/0542** of the Head of Planning and Coastal Management, which related to planning application DC/20/3067/FUL.

Full planning permission was sought for a new welfare hub (comprising three prefabricated units positioned on paving slabs to accommodate equipment storage, accessible W/C and refreshment kiosk), security fencing and lighting adjacent an existing play area at Seaton Recreation Ground, Seaton Road, Felixstowe.

There were no objections from statutory consultees, however, the applicant was a member of staff and the land was owned by East Suffolk Council. In accordance with the Council's adopted scheme of delegation, this application was therefore required be referred to the Committee for determination.

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

The Planner explained that the application followed the recent approval of a similar development (DC/20/1603/FUL) situated approximately 60 metres east close to the Cornwall Road entrance. The applicant had advised that the current application had been submitted because it had transpired that some of the land upon which the approved development would be sited fell outside the applicant's control.

The Committee was shown an aerial view of Seaton Recreation Ground. Photographs were displayed showing the existing play park area and its relationship to adjacent dwellings as well as views towards the application site.

The proposed block plan, floor plans and elevations were displayed.

The Committee was shown example images of the proposed units, fencing and lighting.

The main considerations were stated to be the benefits to community health and social wellbeing, increased offer of recreational activities and events on the site, and the encroachment onto a small area of the recreation ground.

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

The Chairman invited questions to the officers. It was noted that the Council's Commercial Contracts Manager (Leisure) was also present to answer questions.

In response to a question on the security of the site, the Commercial Contracts Manager confirmed that the site would only be accessible when in use by Trimley Red Devils Football Club's youth teams and would be secured at all other times.

Another member of the Committee asked about changing facilities; the Commercial Contracts Manager said that the level of football that would be played on the site would not require changing rooms and youth players would arrive already wearing their football kit. There had previously been changing rooms at Seaton Recreation Ground, but these had fallen into poor condition and had been removed. It was confirmed that the hub would have both refreshment and toilet facility areas.

The Vice-Chairman asked if other teams would be able to use the facilities. The Commercial Contracts Manager highlighted that Trimley Red Devils FC was moving its youth team operations to the site from the former Deben High School as part of the redevelopment of the latter site, and were doing so under licence and would be responsible for maintaining the grass and the facilities. The Commercial Contracts Manager added that there would be capacity to rent the facilities to other groups in the future and this would be identified through the playing pitch strategy being developed across East Suffolk.

It was confirmed that the planning system would not control who could rent the facilities and that separate permission would not be required for other users.

The Chairman invited Councillor Stuart Bird, Ward Member for Western Felixstowe, to address the Committee.

Councillor Bird supported the application and considered it would encourage physical activity at all ages; he was of the view that the facility would be a useful one.

There being no questions to Councillor Bird the Chairman invited Councillor Mike Deacon, Ward Member for Western Felixstowe, to address the Committee.

Councillor Deacon said that he was very much in support of the application and considered that the development would return the area to its proper use for young people to play sport, particularly football. Councillor Deacon noted that the site would enable healthier lifestyles and be run by a very organised club and be well maintained as result. Councillor Deacon was satisfied with the lighting and security conditions and was of the view that the site would in turn open up the development of sports hubs in Felixstowe.

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

A member of the Committee who was also Ward Member for the adjoining Orwell and Villages Ward expressed her support of the application and noted it would have a positive impact on Trimley Red Devils FC, who were based in her Ward.

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

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

RESOLVED

That the application be **APPROVED** with appropriate conditions.

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed 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 the following approved drawing(s):

- 170 01 Rev J (Proposed site plan) received 1 September 2020;
- 170 03 Rev J (Proposed plan) received 1 September 2020;
- 170 00 Rev A (Existing site plan) received 12 August 2020;
- 170 02 Rev C (Proposed elevations) received 12 August 2020, and;
- 170 04 Rev A (Proposed location plan) received 12 August 2020.

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

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

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

4. No additional floodlighting or other means of external lighting shall be installed at the site unless submitted to, and approved by the local planning authority. The details submitted shall include position, operating times, details of luminaires, aiming angles and vertical and horizontal illuminance on areas outside the site. Thereafter only the approved lighting scheme shall be implemented and maintained in accordance with the approved scheme.

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

5. The hereby approved external pole mounted lighting shall only be switched on at times when the hereby permitted structures are open for use and shall otherwise be switched off at all other times unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of amenity and the protection of the local 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.

12 DC/20/1666/FUL - Former Itron Factory, Carr Road, Felixstowe, IP11 2ER

The Committee received **ES/0543** of the Head of Planning and Coastal Management, which related to planning application DC/20/1666/FUL.

The proposal was for the change of use and subdivision the former Itron Building at Carr Road, Felixstowe. The site extended to some 1.43 hectares and was located on Carr Road, which is south west of Felixstowe town centre and adjacent (east) of the Port of Felixstowe. The application sought planning permission to repurpose the former manufacturing and research and development building currently in B1(c) use to a mix of Offices B1(a), B1(c) Business Units and B8 Storage Units.

On 1 September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 and introduced significant changes to the system of 'use classes' the Planning regulations which effectively removed classes A, B1, and D1, applicable to retail, office and non-residential institutions and assembly and leisure uses respectively and encompassed them within a new use class E for commercial, business and service, and F.1 and F.2 which applies to learning and non-residential institutions and local community use respectively. Officers noted that storage and distribution use class B8 remained unchanged.

The application was before the Committee as officers were recommending approval contrary to part of policy SCLP12.9 of the Suffolk Coastal Local Plan which seeks to restrict warehousing and storage businesses on this site; in this instance a total 1460sqm out of the 5194sqm total was proposed for B8 use.

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

The existing and proposed block plans, along with the proposed site layout plan, were displayed to the Committee.

Google street images were displayed that showed the existing building from Carr Road, views to the east and west along Carr Road, looking from and into the site, the frontage of the site, and its relationship with neighbouring residential dwellings.

The proposed floor plans, the existing elevations and the proposed elevations were displayed.

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

The Chairman invited questions to the officers.

A member of the Committee sought clarification on the application's compliance with policy as he considered it to be contrary to policy as it did not accord with SCLP12.9 in its entirety. The Principal Planner explained that level of Heavy Goods Vehicle (HGV) movements that would be generated was considered relatively low and that subsequently the impact to surrounding residents would be considered low.

Officers were of the view that the scale of units proposed for B8 uses would not attract a high level of HGV movements throughout the day and would be likely to be more akin to those expected for deliveries, which was shown in the data provided within the application documents. The Principal Planner said that officers had balanced the introduction of B8 use against other local and national policy and considered that impact would be minimal in terms of impacting on highway safety and residential amenity.

The Vice-Chairman asked if there would be proper and effective control over Heavy Goods Vehicle (HGV) movements on and off the site. The Principal Planner said that the planning process could not control the public highway but could control the site and reiterated the earlier points made about the type of B8 use that was predicted for those proposed units.

The Principal Planner confirmed that she was aware that the route from the site to the Port of Felixstowe traversed residential areas.

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

Members of the Committee expressed significant concern about the B8 use proposed on the site. One member of the Committee considered that the application was contrary to the SCLP12.9, highlighting SCLP12.9(d) which explicitly stated that warehousing or storage activities should be resisted and directed towards land identified under SCLP12.4 or other areas designated for such use.

The Member, who was also Ward Member for Western Felixstowe, highlighted that B8 use had been resisted on this site for some time and was of the view that the application attempted to circumvent SCLP12.9 by stating that only a small proportion of the site would be B8 use. The

Member expressed his support for economic activity, regeneration of redundant sites and the creation of employment but stated that he could not support the application before the Committee.

Another member of the Committee noted the concerns about Heavy Goods Vehicle (HGV) movements on and off the site regardless of scale and highlighted that there were already issues in this regard in the area, which were exacerbated when HGVs took incorrect routes which took them through residential areas.

There being no further debate the Chairman moved to the recommendation to approve planning permission, as set out in the report. There being no proposer or seconder, the recommendation **FAILED**,

The Chairman sought an alternative recommendation to refuse planning permission.

Councillor Bird suggested that the application should be refused as its B8 use element was contrary to SCLP12.9(d); he stated that it should be noted in the Committee's resolution that it was not against the economic regeneration of the site in principle.

The Committee was advised by the Planning Manager that should it wish to refuse planning permission for the reasons suggested by Councillor Bird, the resolution should identify demonstrable harm that would be caused by approving the application in order to make its decision a robust one. Councillor Bird suggested that approving the application would have a consequent adverse effect on nearby residential areas due to increased Heavy Goods Vehicle (HGV) movements.

The Chairman moved to the alternative recommendation to refuse planning permission that had been formulated.

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

RESOLVED

That the application for planning permission be **REFUSED** as whilst the Committee supports the economic regeneration of the site in principle, the B8 use of the application is contrary to policy SCLP12.9(d) of the Suffolk Coastal Local Plan and would have a consequent adverse effect on nearby residential areas due to increased Heavy Goods Vehicle (HGV) movements.

13 DC/20/2772/FUL - Land Adjacent to Peeler, Elmham Drive, Foxhall

The Committee received report **ES/0544** of the Head of Planning and Coastal Management, which related to planning application DC/20/2772/FUL.

Full planning permission was sought for the erection of two new two-storey detached dwellings with associated parking and landscaping at land adjacent to Peeler, Elmham Drive, Foxhall.

The application was presented to the Referral Panel on 6 October 2020 as the 'minded to' decision of the case officer was contrary to Foxhall Parish Council's recommendation to refuse the application. The Referral Panel concluded that the proposal's potential to impact on the local character of Elmham Drive should be debated by the Committee.

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

The site's location plan was outlined, and the Committee was shown an aerial view of the application site.

Photographs were displayed which demonstrated views in and out of the site, and the relationship of the application site to Peeler and Lavenham House.

the proposed block plan and floor plans for the two dwellings were displayed. The Planner noted the buildings would be similar in nature and set back from the frontage of Peeler. Both buildings would be three-bedroom dwellings with open plan dining areas.

The proposed street scene was displayed.

The Committee received the plans of planning application DC/17/5145/FUL, which had been refused and later dismissed on appeal for the details listed at paragraph 2.3 of the report. The Committee was also shown the plans of Lavenham House, which had been built out adjacent to the application site.

The main considerations were stated to be the impact on the character of the street scene, the provision of two new smaller detached dwellings, and the efficient use of land on a large plot.

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

The Chairman invited questions to the officers.

The Planner confirmed that no objections from residents had been received, noting that a letter of support had been received from a neighbour citing the benefit of the proposals.

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

The Committee was in support of the proposal. Members noted that there was a need for smaller dwellings on sites such as the one proposed and were happy to support the application.

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

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

RESOLVED

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

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed 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 the following approved drawing(s):

- Drawing no. P/004 Site location plan (Received 24 July 2020);
- Drawing no. P/003/Rev A - Plot 2 Plans and Elevations (Received 21 September 2020);
- Drawing no. P/002/Rev A - Plot 1 Plans and Elevations (Received 21 September 2020);
- Drawing no. P/001 Site layout plan (Received 24 July 2020);
- Drawing no. P/005 Site layout - setting out (Received 24 July 2020);
- Drawing no. P/006 Street scene (Received 24 July 2020);
- Drawing no. P/009 Block plan (Received 24 July 2020).

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

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

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

4. 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.

5. Before the development is commenced details of the areas to be provided for presentation of Refuse/Recycling bins shall be submitted to and approved 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 unless otherwise agreed by the Local Planning Authority.

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

6. The use shall not commence until the area(s) within the site shown on approved Drawing no. P/005 Site layout - setting out (Received 24 July 2020) for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

7. No development shall commence until precise details of a scheme of landscaping works (which term shall include tree and shrub planting, grass, earthworks driveway construction, parking areas patios, hard surfaces, boundary treatments, fencing etc, and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

Informatives:

1. 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>

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

The meeting concluded at 4.52 pm

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Chairman