

**Confirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,  
Riverside, on **Tuesday, 11 January 2022 at 2.00pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Norman Brooks, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

Councillor David Ritchie

**Officers present:** Jamie Behling (Trainee Planner), Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Mia Glass (Assistant Enforcement Officer), Phil Perkin (Principal Planner), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner), Alli Stone (Democratic Services Officer), Debbi Wicks (Assistant Planner), Ben Woolnough (Planning Development Manager).

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**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors Beavan, Ceresa and Cooper.

Councillors Yule, Goldson and McCallum attending the meeting as substitutes respectively.

Councillor Beavan attended the meeting remotely in order to speak as Ward Member on two applications.

**2 Declarations of Interest**

Councillor Ashdown declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as having been consulted on the original application and being Chairman of the Waveney Planning Committee when the previous application was approved.

Councillor Brooks declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as being a Trustee of the Worlingham Community Facility. He advised that he would take no part in the discussion or voting thereon. He further declared a Local Non Pecuniary Interest in Item 5 - DC/21/0027/FUL -

Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, as having been a Councillor over 11 years and a member of the Committee when the Campus had previously been discussed.

Councillor Gee declared a Local Non-Pecuniary Interest in Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft, as being Ward Member.

Councillor Goldson declared a Local Non-Pecuniary Interest in Item 5 - DC/21/0027/FUL - Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, as Chairman of the Halesworth Campus Project. He advised that he would take no part in the discussion or voting thereon.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, having been a member of the Waveney Planning Committee when the previous application was discussed. He further declared a Local Non Pecuniary Interest in Item 12 - DC/21/5114/FUL - 315 London Road South, Lowestoft, as being Ward Member.

Councillor Rivett declared a Local Non-Pecuniary Interest in Item 5 - DC/21/0027/FUL - Halesworth Campus and Item 6 - DC/21/0007/FUL - North Suffolk Skills Academy, Halesworth, and Item 7 - DC/21/4154/FUL - Land at Rectory Lane, Worlingham, as being Deputy Leader and Cabinet Member responsible for Assets. He pointed out that the transfers took place before he was in post.

### **3 Declarations of Lobbying and Responses to Lobbying**

Councillor Ashdown declared that he had been lobbied on Item 7 - DC/21/4152/FUL - Land at Rectory Lane, Worlingham, and Item 10 - DC21/3789/FUL - 3 White Point, Southwold. He had made no response.

Councillor Brooks declare that he had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. He had made no response.

Councillor Coulam declare that she had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. She had made no response.

Councillor Gee declare that she had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. She had made no response.

Councillor Rivett declare that he had been lobbied on Item 11 - DC/21/4575/FUL - 114 Clarkson Road, Lowestoft. He had made no response.

Councillor Yule declared that Councillor Beavan had been lobbied on Item 8 - DC/21/4531/FUL - Hedgeley, Walberswick. He had forwarded it to her and she made no response.

### **4 Enforcement Action - Case Update**

The Committee received report ES/0936 which summarised outstanding enforcement cases for East Suffolk Council sanctioned under delegated powers or through the Committee up to 17 December 2021. There were currently nine such cases.

There being no specific questions, it was

## **RESOLVED**

That the report concerning Outstanding Enforcement matters up to 17 December 2021 be received and noted.

***Note:** At 2.15pm, Councillor Goldson left the meeting table and remained in the public gallery for Items 5 and 6. He would be speaking on the applications as Ward Member but took no part in the discussions or voting thereon.*

### **5 DC/21/0027/FUL - Halesworth Campus (former Middle School Site), Norwich Road, Halesworth**

The Committee received a presentation on Items 5 and 6 DC/21/0027/FUL – 54 bed Care Home (full application) and 100 Extra Living Apartments (outline application) and DC/21/0007/FUL – Grass Sports Pitch and 3G Sports Pitch at Norwich Road / Harrison's Lane, Halesworth.

The Planning Development Manager advised that the two applications related to allocation WLP4.1 in the Local Plan. Whilst the presentation covered both items, each application would be debated separately.

The Principal Planner advised that the proposal for the Care Home and Extra Living Apartments tied in with the Local Plan and the aerial view showed the extent of the site with a red line, the blue line indicated the site for the Sports Provision and the location of the Apollo Youth Club and the two listed buildings Wissett House and Town Farmhouse were also identified. The yellow line showed the extent of WLP4.1 Halesworth/Holton Heath Neighbourhood which included the land for the residential development of 190 homes that had been agreed in 2019. Photographs showed the street scene, existing path along the southern boundary, views across the site, the Skills Centre and Apollo Youth Club, the location of the proposed 3G pitch, and further views along Loam Pit Lane. The slide of the master plan showed the two proposed accesses, layout of the buildings together with ground and first floor layouts off a central hub, an artist's impression of elevations and a mass/scale and landscape parameter plan.

The Principal Planner advised that the principle of the development was in accordance with WLP4.1 with the site being in a sustainable location with access to the town centre. He further explained that the specialist housing accommodation for the older population was C2 use class and would remain C2 in perpetuity. Highways and heritage considerations had been addressed and it was considered that the development could be accommodated on the site satisfactorily with no neighbour impact. Existing pedestrian routes would be improved and a new pedestrian link would be provided. A Section 106 Agreement would secure obligations as set out in paragraph 9.1 of the report. Health care considerations were necessary as the existing

doctors' surgery was at capacity and it was proposed that 94sqm of clinical floor area could be provided. Further discussions would take place with the CCG on primary health care expansion.

The proposal was an enabling development which would provide the sports pitch.

The Principal Planner advised that the application was recommended for approval subject to conditions as set out in the report.

In debating DC/21/0027/FUL, Members questioned the height of the proposed care home and compared to that of Excelsior House, the retention of the youth club, sufficient management of the extra planting to ensure minimal failures and what employment would be created as part of the scheme. The Principal Planner advised that the care home was two-storey only and there would be benefits from the proposed landscaping. The Planning Development Manager confirmed that the current application did not provide for the demolition of the youth club; that would form part of later phases. Questions relating to employment should be directed to the applicant.

The Chairman invited the public speakers to address the Committee.

As an objector, Ms C Chenery advised that she was Chairman of the Halesworth Town Junior Club and they did not agree with the loss of the green space for the care home. They had teams to develop and needed pitches for that purpose. The care home could be built anywhere but not on green space. The benefits to the football club outweighed the proposal and it would be detrimental to take away their pitches. The proposed pitches were to be marked out for rugby not football and there was no guarantee the junior club would get any pitches. There would be no grass for the children, fees would increase. She asked the Committee to note that the club did not agree with the development, neighbours had not been contacted and the application had not been open and honest.

In response to a Member's question on the rugby and football issues and if Sport England had been made aware, Ms Chenery advised that they had been made aware of the need for green space for juniors for months.

As Chairman of Halesworth Town Council's Planning, Cllr P Dutton advised that the area was not an urban venue; the site was a very rural open space with trees. The Town Council reflected the opinions and comments of residents that the application should be rejected for many reasons. It was not an urban setting, the height of the proposed buildings would shadow the nearby bungalows, and the buildings were far too big for the site. Based on information from 2017, older people should be treated in their own homes and the Neighbourhood Plan was coming into place. There was no need for extra care apartments as two care homes in the town already had vacancies. The local GPs would not be able to support the development. The development would cause surface water problems and the loss of grass space in Halesworth was a concern, as there were no other suitable areas for open space. Cllr Dutton, asked that the application be rejected for the reasons given.

Members asked questions relating to:

- Number of spaces in care homes.
- Whilst the site was using green space, better sports facilities would be available.
- Housing development in the Local Plan allocation would make the site urban.

Cllr Dutton advised that a small number of care home beds had been vacant for a long time; people preferred to be treated in their own home and it that was in accordance with national and CCG policy. Sports pitches were needed but the proposed 3G was not pleasant to play on particularly for small children. This grass space was important as Halesworth was built up and any other spaces were inappropriate. If the site was taken over by rugby, the juniors' team could end up folding and the youngsters would lose their exercise. Cllr Dutton stated that the site was a long way from the main road and could only be classed as sub-urban.

Mr S Humphrey, speaking for the applicant, thanked the officer for an excellent presentation and report. He advised that they were using an allocated site for their purpose and green space was being provided. It was important to cater for the older population. It should be noted that 26.6% of the population in Waveney was made up by the over 65s compared to 18% in England. This proposal was providing for their needs.

Members questioned:

- Employment being brought to the area
- Residents being within a five mile radius of the site with the nearest hospital being located in Gorleston
- Disabled access and lifts
- How residents would be treated with the local GP surgery being full
- What ground floor amenities would be provided and if any café would be available to members of the public

Mr S Kaushal, the applicant, confirmed that they would anticipate recruiting 80-100 people, both full-time and part-time, and offer flexible working time. They would be working with the CCG and establish links with local colleges to offer training and attract new talent into care jobs. Mr Kaushal advised that he was not a developer but a provider of social care and wished to provide a service fit for the future. Some people might wish to stay in their own homes if they received 24/7 care but that was not always possible. This proposal provided a community which would reduce loneliness. Everyone would have their own front door but be able to call on staff at any time and there would be lifts to all levels. They would not necessarily exclude anyone outside of the five mile radius. It was hoped to have the first resident on site during the summer of 2023 and prior to that they would be in contact with the local GP surgery, work on training staff and consider having a nurse practitioner based on the site. Space for socialising would be available on the ground floor and for amenities and restaurant/café and they would engage with their residents to see what they wanted. The C2 use would be registered with the CQC so they would not want to compromise the residents by fully opening facilities to the public.

Ward Member Councillor Goldson reminded the Committee that the hospital in the town had not been fit for modern nursing and was closed by the CCG. All parties

including the CCG, PCT, doctors and sports representatives had been involved and the proposal was what was needed in the town. Halesworth was furthest from any hospital in the county, some 26 miles to James Paget and Norwich Hospitals and 30 miles from Ipswich. Halesworth had an aging population with waiting lists to get into both existing homes and adult social care was required now with some people having to be moved out of the town. With this facility, it would provide for the frail and intermediate care and somewhere for people to go. The younger population were not staying in the town because there was little infrastructure with no trains or buses direct to Norwich. The care home intended to run a full training programme and the application should be supported as the facilities were well and truly needed.

In response to questions from the Committee, Councillor Goldson confirmed that he was content with the application even though no affordable homes were being provided. Social care would normally need to negotiate with care homes as they were all privately owned and when patients came out of hospital, this site would provide the necessary care. There should be no flooding as the site was on a hill and the Floods Authority believed the plans were sustainable.

The Planning Development Manager advised that the proposal was planning for the future to 2036 beyond the Local Plan providing an allocation for older living, highlighted by the age profiles of Saxmundham, Beccles and Halesworth.

Members noted the design and the provision of one bedroomed units and agreed there was a need for provision in the area. Whilst noting comments objecting to the application, it was agreed there was no reason not to accept the proposal and Members accepted that the residents would not necessarily want peace and quiet and might enjoy the use of the sports pitch. Following a proposal for approval, which was duly seconded, it was

## **RESOLVED**

That authority to approve be granted, subject to the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Standard care package including minimum personal care requirements (primary residents of the assisted living units).
- A financial contribution towards primary healthcare expansion, the amount to be confirmed by Norfolk and Waveney CCG.
- Public Right of Way creation funding for a footpath link to Cutlers Hill Surgery
- Per extra living unit contribution to the Suffolk RAMS
- licence to Halesworth Campus to allow the site of apartment block A to continue being used for playing pitches for a minimum of 12 months.

If the S106 is not completed within 6 months, authority to refuse the application be granted.

Conditions:

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

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

2. In respect of the outline planning permission hereby approved approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") and measures to minimise water and energy consumption shall be obtained from the local planning authority in writing before any development is commenced. Development shall be carried out as approved.

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

3. The development subject of the outline planning permission hereby approved shall be begun within the time limits specified in Condition 4 and is subject to any conditions imposed thereon.

*Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).*

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

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

5. The submission of reserved matters applications pursuant to the outline application shall demonstrate substantial compliance with the Movement and Access Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1010); Mass and Scale Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1011); Landscape and Character Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1013); Landscape and Character Parameter Plan - Public Realm (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1014); Landscape and Character Parameter Plan - Semi-Private Spaces (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1015) and Use Parameter Plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) contained within the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

*Reason: In order to secure high-quality design it is essential to establish development parameters to guide future reserved matters application, in accordance with the design and objectives of Local Plan policy WLP8.29 (Design).*

6. Pursuant to the Use Parameter plan (Drwg. No. 9363 - FM - ZZ - 00 - DR - A - 1016) the submission of reserved matters applications shall demonstrate substantial

compliance with the Accommodation Schedule set down in Table 1 of the Design and Access Statement (Ref. 9363 / 0001 / P02) received 16 August 2021.

*Reason: For the avoidance of doubt and to ensure the inclusion of communal facilities within reserved matters submissions.*

7. Prior to the first operation of the care home the existing pedestrian / cycle footpath along the southern boundary of the site shall be increased to 3m wide up to the boundary of the adjacent Halesworth Campus site (application DC/21/0007/FUL) as shown on the Movement and Access Parameter Plan; in accordance with details previously agreed in writing by the local planning authority.

*Reason: Connectivity between the site and the adjacent site is a critical element of Policy WLP4.1 Halesworth/Holton Healthy Neighbourhood. In order to ensure the delivery of this pedestrian connection the route must be improved at an early stage of the development.*

8. The development shall be carried out generally in accordance with the Proposed Masterplans (Drwg. Nos. 9363-FM-ZZ-00-DR-A-1001-04 and 9363-FM-ZZ-00-DR-A-1000-08 received 16 August 2021.

*Reason: To secure a properly planned development.*

9. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans received on 19 January 2021 (unless stated otherwise), 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.

9363-FM-ZZ-00-DR-A-0110-01 - Existing Site Plan, received 16 August 2021;

9363-FM-CH-GF-DR-A-2000-P05 - Ground Floor Layout;

9363-FM-CH-01-DR-A-2001-P05 - First Floor Layout;

9363-FM-CH-02-DR-A-2002-P01 - Second Floor (Attic) Layout;

9363-FM-CH-RF-DR-A-2003-P01 - Roof Plan;

9363-FM-CH-ZZ-DR-A-1300-P01 - Sections - Sheet 1;

9363-FM-CH-ZZ-DR-A-1301-P01 - Sections - Sheet 2;

9363-FM-CH-ZZ-DR-A-1400-P02 - West and East Elevations;

9363-FM-CH-ZZ-DR-A-1401-P01 - Typical House Elevations;

9363-FM-CH-ZZ-DR-A-1402-P01 - South Elevations;

9363-FM-CH-ZZ-DR-A-1403-P01 - North Elevations;

9363-FM-CH-ZZ-DR-A-1404-P01 - Northern Courtyard Elevations;

HALSTRP-Nov20 Tree Retention and Protection Plan, received 5 January 2021

HALESRPA-Nov20 Root Protection Areas Plan, received 5 January 2021 and

JN1082-Dwg-0016D and JN1082-Dwg-0019B, received 15 December 2021

*Reason: To secure a properly planned development.*

10. The development shall be implemented in accordance with the site wide phasing plan Drwg. No. 9363-FM-ZZ-00-DR-A-1002-01 received.



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

11. Samples of all external facing and roofing materials of the care home shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved samples.

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

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

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

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

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

14. The grass playing field proposed under application DC/21/0007/FUL shall be implemented in full in accordance with the approved plans prior to any development of the extra living apartments hereby approved.

*Reason: To ensure replacement playing field is provided in order to satisfy exception 4 of Sport England's playing fields policy and NPPF Para 99.*

15. No development shall take place until a scheme for the installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of any buildings to which they relate.

*Reason: In the interests of fire safety.*

16. No development shall take place within the area indicated [the whole site] 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).*

17. 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 15 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).*

18. Prior to commencement of development of the care home and blocks A, B and D a noise assessment for each building should 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.

*Reason: In the interests of amenity.*

19. Prior to commencement of development of Blocks A, B and D a sound attenuation scheme including acoustic fencing, aimed at protecting the proposed residential properties from noise from the adjacent sports pitches and ventilation units at the nearby skills academy shall be submitted to the Local Planning Authority in writing. Only an approved scheme shall be implemented and retained thereafter.

*Reason: In the interests of amenity.*

20. Development of any building shall not commence until a Construction Method Statement for that building has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

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

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

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

21. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EcIA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

*Reason: To ensure that nesting birds are protected.*

23. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EcIA) (The Landscape Partnership, December 2020),

shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

24. If the Reserved Matters application for the Outline element of the development hereby approved is not within 2 years from the date of the planning consent, the approved ecological measures secured through Condition 20 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted as part of the relevant Reserved Matters application.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

*Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.*

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

- a) A desk study and site reconnaissance, including:
  - a detailed appraisal of the history of the site;
  - an inspection and assessment of current site conditions;
  - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;

- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

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

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

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

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

26. 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.*

27. Prior to any occupation or use of the approved development the RMS approved under condition 2 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.*

28. 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.*

29. 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. 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.*

30. Prior to commencement of development full details of photo-voltaic panels and measures to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

*Reason: In the interests of securing a sustainable form of development.*

31. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in broad accordance with drawing nos. JN1082-Dwg-0016D & JN1082-Dwg-0019B. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. \*This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.*

32. All internal footways and cycleways shall be laid out according to drawing no. 9363-FM-ZZ-00-DR-A-1000-08

*Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site and meet NPPF and LTN 1/20.*

33. The use shall not commence until the area(s) within the site shown on drawing no. 9363-FM-ZZ-00-DR-A-1000-08 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

*Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.*

34. Before the development is commenced details of the infrastructure to be provided for 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 sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.*

35. Before any building is constructed above ground floor slab level details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

*Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.*

36. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase

*Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.*

37. Outline:

1. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- c. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- d. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- e. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the



surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

f. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

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

The scheme shall be fully implemented as approved.

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

*<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>*

38. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of*

*Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>*

39. Full:

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 (LPA).

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

40. 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 LPA. 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.*

41. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>*

42. 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: 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 <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>*

*Informatives:*

*1. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.*

*I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.*

*Further details on our advisory services and charges can be found on our website:*

*<http://www.suffolk.gov.uk/archaeology/>*

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

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

*The County Council must be contacted on Tel: 0345 606 6171.*

*For further information go to:*

*<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>*

*County Council drawings DM01 - DM14 are available from:*

*<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>*

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

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

*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-development-advice/application-for-works-licence/>*

*4. 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.*

*5. This permission is subject to the completion of a Section 106 legal agreement.*

*6. 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](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)*

*7. - Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991*

*- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017*

*- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution*

*- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act*

## **6 DC/21/0007/FUL - North Suffolk Skills Academy, Harrisons Lane, Halesworth**

The Committee considered report ES/1006 which gave details of the application seeking consent for outdoor sports facilities on the former Halesworth Middle School site and agricultural land to the south. It comprised a new grass playing pitch and a new artificial 3G pitch, with associated parking, access, lighting, pedestrian/cycle routes and drainage, on 4.59 hectares of land to the south of Harrisons Lane, Halesworth.

Members noted that the site formed part of the allocation in the Local Plan for the Halesworth/Holton Healthy Neighbourhood, for a comprehensive redevelopment to provide housing, health care facilities, retirement community and indoor and outdoor sports facilities. The application was to be read alongside DC/21/0027/FUL also presented to Committee (Agenda Item 5) as the two applications were mutually dependent on each other.

With regard to application DC/21/0007/FUL, the presentation showed the site layout, car parking, the location of the proposed grass pitch and 3G pitch and how the land would be cut and filled to level the site. There was a statutory requirement to consult Sport England; no objection had been received as better quality pitches were being provided and there would be continuity of sports provision. The site could also be used by Southwold Rugby Club. A new widened access would be further east of the existing access which would be closed. The proposed 3G pitch included floodlighting and acoustic barriers subject to conditions. In addition to the cut and fill, overhead lines would need to be diverted if consent was granted.

The Principal Planner advised that the application was recommended for approval subject to conditions as set out in the report.

The Principal Planner outlined the material planning considerations and confirmed that Harrisons Lane would be slightly widened and parking on site was acceptable. Any leakage from the plastic artificial pitch could be mitigated by an edge board on the pitch and good maintenance. There should not be any significant run off which would cause issues. Sport England commented that 3G pitches provided year round use and good healthy physical activity and there was a shortfall of such pitches in east Suffolk. Rugby could be accommodated within the grass pitch proposals, providing full size pitch with lighting and it complied with their standards. Heritage England had submitted a statement which concluded that there would be no impact on the listed buildings and the Council's Conservation Officer agreed with that view. A community use agreement would need to be in place with pricing policy, hours of use, etc., so as to provide access by the local community; that would be secured by condition. Approval was being recommended subject to the completion of a section 106 Agreement.

In response to a Member's question relating to how the overhead cables being diverted, the Principal Planner advised that he understood the diversion would be underground.

The Chairman invited the public speakers to address the Committee.

As an objector, Ms A Bull, confirmed she was speaking on behalf of residents in the bungalows near to the proposed 3G pitch. The site was totally unsuitable; the building of the pitch would take up a huge area of agricultural land with hard surfacing which would increase the risk of flooding which already occurred. Extreme weather events already caused problems and there was no guarantee that ongoing maintenance of the site would occur. Any water would run onto land not in the ownership of the applicant. Thousands of tonnes of microplastic already polluted the environment and from here it would run into the sea. 3G pitches only lasted around 10 years and there was no means to recycle the pitches after that period of time. The open agricultural area with trees and hedges and great views was popular with the locals; this proposal would result in the loss of valuable green space and cause light pollution.

On behalf of the Town Council, Cllr P Dutton questioned the provision that was being proposed. Whilst the Campus project was welcomed by residents, a 2015 survey showed the demand was for indoor facilities. All the town was being offered was a 3G pitch which was for a few residents in Halesworth and the surrounding villages with no rugby club in the town to use the pitch. 34 residents had objected so had the Town Council. The 3G site was in a catchment area for surface water, a hard surface would increase flood risks and run-off into a ditch which discharged into a flood drain would exacerbate the flooding that already occurred. The application did not meet the needs of residents; it should be rejected and be replaced with a programme that would be supported by residents.

On behalf of the applicant, Ms J Moseley advised that the Campus Charity has been working since 2010 to get to this stage and all consultations had showed that the community needed pitches as well as indoor facilities. The Councils had been working

together to provide facilities and the 2015 Town Plan had highlighted the need in the town. The Healthy Neighbourhood was supported by this part of the wider vision for a community café and walks contributing towards healthy living. There would be new cycle tracks and footpaths connecting the site to the town. The Charity's business plan and fund raising strategy were ready to go and she was of the opinion that this would meet people's needs. Ms Moseley hoped the Committee would approve the application, then the Campus would be looking at the provision of a pool.

Members questioned:

- Facilities for younger children and, for example, TrimTrail.
- If the site would belong to a club or if the community would be able to use the facilities.
- Retention of the temporary grass pitch near the skills centre.

Ms Moseley confirmed that facilities for children would be near to the community café, both of which would be the subject of a future application. They might include gym equipment, sculptures and seating. In support, Mr Gallagher confirmed that the site would be operated under a pay and play arrangement, particularly during school holidays and after school too. It would be a secure environment with turnstiles. Ms Moseley advised that they hoped to retain the temporary pitch; however, it was down for houses to be built on the land and that would bring in a capital receipt for supporting their future plans.

As Ward Member, Councillor Goldson confirmed the need to take a strategic view and this was the first phase of the project, with phases 2 and 3 to follow. 3G was necessary and would be used all year round. Phase 2 was the fitness gym and would bring in revenue as the Campus was not making profit. Both the gym and sports hall were needed for the area and TrimTrail was important as it had not been possible for the park run to take place due to cattle being in the fields. The proposal would also bring employment to the town. Councillor Goldson advised that the application was the start of a wide ambition which would be accessible to all and it had his full support.

Members raised question relating to the flooding that had previously been mentioned and the provision of changing facilities. Councillor Goldson advised that the Flood Authority had looked at Loam Pit Lane and they said it was acceptable. Changing facilities were part of the long term plans and, in the interim period, the fitness suite would provide those facilities. It was confirmed that that temporary accommodation would be provided until phase two had been built, when it was intended to provide a sports hall, gym and changing rooms.

The Planning Development Manager advised that they had been engaging with Sports England, the FA and RFU and the facilities would not only be available for the town but they would serve the wider area including Southwold Rugby Club.

The Committee agreed the proposal was a good scheme particularly as the area was desperate for good all-round sports facilities and commented on the fact that community access needed to be put in place. Members noted the differing views on flooding and the assurances given by the Floods Authority, and agreed that a Section

106 Agreement needed to be signed within six months. There being no further debate, it was

## **RESOLVED**

That authority to approve be granted, subject to the conditions set out below and subject to the completion of a S106 Legal Agreement within six months to secure the following obligations:

- Footpath link to Cutlers Hill Surgery
- licence to allow the site of apartment block A (subject to application DC/21/0027/FUL) to continue being used for playing pitches for a minimum of 12 months.

If the S106 is not completed within 6 months, authority to refuse the application be granted.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drwg. No. 169 03 T received 20 August 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

*Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.*

4. All internal footways and cycleways shall be laid out according to drawing no. 169 03 Rev.T.

*Reason: To ensure that appropriate pedestrian and cyclist access can be maintained across the site.*

5. Before first use of the site, details of the pedestrian and cycle links to the adjacent development site should be submitted and approved by the local authority.

*Reason: To allow for the site to be accessed by pedestrians and cycles in a safe manner and to promote sustainable transport methods.*

6. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 169 03 Rev. T. Thereafter it shall be retained in its approved form.

*Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. \*This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.*

7. The use shall not commence until the area(s) within the site shown on drawing no. 169 03 Rev. T for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

*Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.*

8. Before [the development is commenced / any building is constructed above ground floor slab level] details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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.(or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

*Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019. This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.*

9. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.



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

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

*Reason: To ensure that nesting birds are protected.*

11. No development affecting areas of suitable reptile habitat, as identified in Ecological Impact Assessment (EclA) (The Landscape Partnership, December 2020), shall take place (including any demolition, ground works, site clearance) until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a. purpose and objectives for the proposed works;
- b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c. extent and location of proposed works shown on appropriate scale maps and plans;
- d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e. persons responsible for implementing the works;
- f. initial aftercare and long-term maintenance (where relevant);
- g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

12. The locations and specifications of acoustic fencing to the 3G pitch and any perimeter fencing, shall be submitted to and approved in writing by the local planning authority. The acoustic fencing and any perimeter fencing shall be installed in accordance with the approved details prior to the first use of the 3G pitch and shall be retained thereafter.

*Reason: In the interests of amenity.*

13. There shall be no use of the Grass Rugby pitch after 21.00hrs and no use of the 3G Pitch after 22.00Hrs.

*Reason: In the interests of amenity.*

14. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise and dust will be controlled

so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

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

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

*Reason: In the interests of amenity.*

15. No development shall commence until details of the design and layout of the 3G pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The facility shall not be constructed other than in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable.*

16. Use of the 3G pitch shall not commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.*

17. No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the grass playing field which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the

proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(a) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.*

18. Prior to commencement of development a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G pitch and retained grass pitch and include details of pricing policy, hours of use, access by local clubs and informal use, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.*

19. Prior to commencement of development, the applicant shall submit a construction and phasing plan, which sets out a timetable for the construction and implementation of the sports facilities to be provided on this site.

*Reason: To ensure that the facilities are provided within a reasonable timescale, and to ensure that existing users retain access to the facilities.*

20. Prior to installation full details of floodlighting for the pitches shall be submitted to and approved in writing by the local planning authority. The floodlighting shall be installed in accordance with the approved details. Floodlights shall be switched off as soon as is reasonably practical following the cessation of use and at the latest no longer than 30 minutes after the permitted hours of use in Condition 13.

*Reason: In the interests of amenity.*

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

establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme. Landscaping proposals should be based on the Landscape Masterplans.

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

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

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

23. 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 (LPA).

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

24. 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 LPA. 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.*

25. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing, and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>*

26. 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

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 <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>*

*Informatives:*

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

*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-development-advice/application-for-works-licence/>*

*2. Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Informative (artificial grass pitches – rugby only). The applicant is advised that the pitch should be built in accordance with RFU guidance note 7: Artificial Rugby Turf and tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.*

*Informative (artificial grass pitches – football only). The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.*

*Informative (artificial grass pitches football only) – The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA*

*Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.*

*Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*

*3. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991*

*Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017*

*Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution*

*Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act*

*Any works to a main river may require an environmental permit.*

**Note:** *At 4.27pm, Councillor Brooks left the meeting table and remained in the public gallery for Item 7. He was available to answer questions but took no part in the discussions or voting thereon.*

*At the same time, Councillor Goldson rejoined the meeting.*

## **7 DC/21/4154/FUL - Land at Rectory Lane, Worlingham**

The Committee considered report ES/1007 giving details of an application seeking planning permission for the construction of 19 dwellings, a new community centre with associated parking and two new access roads off Rectory Lane on land that was formerly occupied by Worlingham Primary School.

Members received a presentation showing the site location plan and aerial view, photographs across the site and street scene, together with a proposed site layout plan providing 2, 3 and 4 bedroomed dwellings. The perspective view and cross sections through the site showed the gap between existing and proposed properties either side of Rectory Lane and gave an indication of any impact on existing properties due to the difference in height of the land. Any potential loss of privacy was considered to be acceptable.

Examples of the style of properties and the community centre elevations and floor plan were also displayed. The design and proposed finish of the dwellings were considered suitable and in terms of internal layout the requirement of policy WLP8.31 Lifetime Design would be required by condition at 40% in accordance with M4(2) of the Building Regulations.

The Senior Planner outlined the principle of the development and although policy WLP8.2 proposed a 30% affordable housing contribution, a viability assessment had

been provided and assessed and it had been accepted that the development was not viable if the affordable housing had to be provided.

Whilst the site was adjacent to the Grade II\* listed Church of All Saints, Historic England had not commented but had advised to seek the views of The Council's specialist conservation and archaeological advisers. The impact on the setting of the Listed Building was considered to be acceptable due to the substantial changes that had previously taken place, the limited intervisibility between the site and the Church and that this proposal was similar to that previously approved.

The Senior Planner explained that the Community Centre would provide Worlingham Church and the community with an opportunity to replace facilities lost when the church hall closed and interest had already been expressed in using the Centre. Noise mitigation measures would be in place through the provision of a Noise Management Plan and future occupiers of the proposed dwellings would be well aware, when purchasing a property on the development, that they would be living in close proximity to a community centre.

In response to comments received relating to highway safety matters, it was confirmed that a wider footway was to be provided in place of the existing layby. The site was in Flood Zone 1, low flood risk. However, in terms of surface water drainage it had been demonstrated through the Flood Risk Assessment that infiltration was feasible, and attenuation would not be required. Further details of the drainage strategy would be required by condition.

The Ecology Report accompanying the application confirmed that a replacement area would be required for slow worm habitats. of which further discussions were ongoing and final details would be required by condition. A Sustainability Statement would be required by condition and a RAMS contribution would be secured with a Unilateral Undertaking. The community facility was the driving force for the development and approval was being recommended with appropriate conditions.

In response to Members' questions, the Planning Development Manager advised that the previous permission approved in 2015 had been invalidated due to the County Council demolishing the old school building ahead of discharging conditions. The use of the school grounds had been in the pipeline for a number of years and had been identified in the previous Local Plan. The increased density from 15 to 19 dwellings made the overall scheme viable.

The Chairman invited the public speakers to address the Committee.

On behalf of the Parish Council, Chairman Cllr W Summerfield advised that Worlingham was the largest village in the county without a meeting room. In 2012, the site became available, community engagement started at that time, and a charitable organisation had been set up. The application before Members was an enabling development and the housing being built would pay for the community centre. The last two years had shown the importance of community engagement and the need for a local venue had been highlighted to combat isolation and provide a place for people to visit and use for events. Cllr Summerfield asked the Committee to approve the application which would provide a benefit for the whole community.

Mr J Coote, Director of Badgers Builders, the Applicant, outlined the number of years of hard work that had been undertaken by Badgers, Worlingham Parish Council, the County Council and East Suffolk Council. If the application was granted, the development would provide benefit for all; new homes to live in and a community facility for the village to use. The development was also bringing into use a brownfield site and Stephen George, before he passed away, and his family were committed to see the proposal delivered.

In response to questions relating to the Community Centre being provided with charging points and solar panels, Councillor Brooks confirmed that if planning permission was granted, the Community Trust would be looking into the provision of such items. With regard to the use of the car park, Councillor Brooks confirmed that there were plans in the pipeline to install CCTV and gates allowing access to the car park for the hall users only.

Members supported the proposal and welcomed the use of an old site with a good development. It was unanimously

## **RESOLVED**

That authority to approve be granted, subject to the following conditions and the completion of a Unilateral Undertaking for the provision of RAMS payment and any final improvements in respect of noise management and mitigation (including additional/adapted conditions):

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

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

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

2015 SL01 Rev J - Site Layout Plan: Received 16 December 2021

2015 G01 Rev A - Garage Types Sheet 1/2: Received 10 November 2021

2015 G02 - Garage types Sheet 2/2: Received 10 November 2021

2015 PL01 Rev A - Brundall House Type BR1 - Plans and elevations: Received 10 November 2021

2015 PL05 Rev A - Carbrooke House Type CR1- Plans and elevations: Received 10 November 2021

2015 PL12 Rev A - Starston House type (Terrace) - Plans and elevations: Received 10 November 2021

2015 SS01 Rev A Proposed site sections: Received 10 November 2021

2571-21 Rev 1 - Soft Landscaping - Planting: Received 10 November 2021

2015 PL13 Rev A - Community Centre plans and elevations: Received 10 November 2021

2015 SE01 Proposed steetscene elevation: Received 10 November 2021



Landscape Specification and Management Plan Rev 1 (08.11.21): Received 10 November 2021  
2015 PERS 01 - Perspective view: Received 28 October 2021  
2015 PL02 - Blythburgh House Type BL1 - Plans and elevations: Received 03 September 2021  
2015 PL03 - Wrentham House Type WR1 - Plans and elevations: Received 03 September 2021  
2015 PL04 - Wrentham House Type WR2 - Plans and elevations: Received 03 September 2021  
2015 PL06 - Helmingham House Type HE1 - Plans and elevations: Received 03 September 2021  
2015 PL07 - Helmingham House Type HE2 - Plans and elevations: Received 03 September 2021  
2015 PL08 - Yoxford House Type YX1 - Plans and elevations: Received 03 September 2021  
2015 PL09 - Hulver House Type HL1 - Plans and elevations: Received 03 September 2021  
2015 PL10 - Hulver House Type HL2 - Plans and elevations: Received 03 September 2021  
2015 PL11 - Hulver House Type HL3 - Plans and elevations: Received 03 September 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

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

4. 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 (LPA).

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

5. 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 LPA. 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.*

6. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority,

detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings.

The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>*

7. 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

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 <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>*

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

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

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

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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

9. 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 the Land Contamination Risk Management (LCRM).

*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. Prior to occupation of any dwelling or use of the Community Facility, the RMS approved under condition 9, to the extent that it relates to that dwelling or the Community Facility, must be complete for that area of the site. The LPA must be given two weeks written notification prior to the commencement of any remediation 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.*

11. 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.*

12. 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.

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+A2:2017 and the Land Contamination Risk Management (LCRM)) 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.*

13. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Report (Norfolk Wildlife Services, March 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

*Reason: To ensure that nesting birds are protected.*

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

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

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

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

16. No development shall take place (including any demolition, ground works, site clearance) until a Reptile Mitigation Strategy (including details of translocation proposals) has been submitted to and approved in writing by the local planning authority. The content of the Strategy shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

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

*Reason: To ensure that the development delivers ecological enhancements.*

18. No development shall take place within the area indicated [the whole site] 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).*

19. 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 18 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 Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).*

20. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

*Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.*

21. Prior to first use of the community centre a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Noise Management Plan.

*Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.*

22. Prior to first use, a detailed landscape maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall be implemented in accordance with the agreed details.

*Reason: To ensure the provision of amenity afforded by appropriate landscape design and maximise the long-term biodiversity value of the landscaping.*

23. The approved landscaping scheme shown on drawing number 2571-21 Rev 1 shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

*Reason To ensure a satisfactory appearance within the landscape*

24. Prior to the commencement of the development details shall be submitted to the Local Planning Authority for approval demonstrating that 40%/8 units are designed to meet the requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details.

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

25. Prior to the commencement of the development a Sustainable Construction Statement shall be submitted to and agreed in writing by the Local planning Authority that demonstrates that where practical the following have been incorporated into the development:

- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
- Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
- Locally sourced and recycled materials.
- Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
- Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.
- All new residential development in the district should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so.

*Reason: in accordance with the objectives of the Sustainable Construction of policy WLP8.328 of the East Suffolk (Waveney) Local Plan and the Draft Sustainable Construction SPD.*

26. Prior to commencement of development details of the infrastructure to be provided for electric vehicle charging points for the residential properties and the community centre 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 that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking (2019) and paragraph 110 of the National Planning Policy Framework.*

27. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

*Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time.*

28. 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 including any system to dispose of the water. 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.*

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

*Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.*

30. 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.

*Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public.*

31. The new estate road junction(s) as shown on Drawing No SL01 Rev H inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any other materials i.e., not for the purpose of constructing the new estate road/junctions

*Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence.*

32. The use shall not commence until the area(s) within the site shown on drawing no. SL01 Rev H for the purposes of loading, unloading, manoeuvring and parking of

vehicles have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

*Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.*

33. Before occupation, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.*

34. The cycle storage for the residential properties as shown on drawing no. SL01 Rev H shall be provided for each dwelling prior to its first occupation and retained as such thereafter.

*Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.*

35. The garage/parking spaces for each dwelling shall be made available for use prior to the occupation of the dwelling and shall thereafter be retained for these purposes. The internal garage dimensions should be to SCC current Parking Guidance (at time of writing SPG 2019) which should be 3m x 6m (or 7m) between the piers, not walls.

Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.

*Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with the adopted parking standards (Suffolk Guidance for Parking 2019) where on-street parking and or manoeuvring would be detrimental to the safe use of the highway and in the interests of good design, as on-street parking for the third vehicle spaces required for four or more bedroomed dwellings has not been designed into the street.*

36. Before the access is first used visibility splays shall be provided as shown on Drawing No. SL01 Rev H and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

*Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.*

*Informatives:*

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

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

*3. - Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991*

*- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017*

*- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution*

*- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act*

*- Any works to a main river may require an environmental permit.*

*4. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.*

*SCC Archaeological Services would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.*

*The archaeological evaluation will inform on the strategy for the removal of the former school building foundations and surfaces.*

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

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

*Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171.*

*For further information go to:*

*<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:*

*<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>*

*County Council drawings DM01 - DM14 are available from:*

*<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>*

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

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

*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-development-advice/application-for-works-licence/>*

*7. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets.*

*For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>*

*Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers' plant may render the land unadoptable by SCC Highways for example flogas and LPG.*

*8. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria.*

*It is recommended that the applicant refers to the current adoption criteria:*

*<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>*

*9. Suffolk Police strongly recommend that the community centre is built in accordance with Secured by Design Commercial 2015 V2.*

## **8 Continuation of Meeting**

In accordance with the Constitution, as the meeting had been in session for three hours, the Chairman asked the Committee if they wished to continue or adjourn the meeting. It was proposed, seconded and

### **RESOLVED**

That the meeting continue over three hour's duration.

*Note: Councillors Gee and Yule left the meeting at 4.55pm and Councillor Brooks rejoined the meeting.*

*Having just reached three hours duration and in order to allow for a comfort break, the meeting was adjourned at 4.55pm and reconvened at 5.08pm.*

## **9 DC/21/4531/FUL - Hedgeley, The Green, Walberswick**

The Committee considered report ES/1008 which set out details of the planning application requesting permission to renovate and extend the current dwelling which would include a two-storey side extension, single storey side and rear extension and balcony and pergola to the south at Hedgeley in Walberswick.

The application had been referred to Committee as the officer recommendation to approve was contrary to the recommendation of the Parish Council and Ward Member.

Members received a presentation showing an aerial view and site location, photographs of the existing dwelling showing some unsympathetic alterations and street scene, existing and proposed floor plans and elevations.

The Planner advised that the proposed black cladding was considered acceptable as it would be similar to other buildings in the area. Whilst the proposed balcony might partially overlook the neighbour to the south, it was felt this would be no more than from the existing large window. The block plan showed proposed parking arrangements; the widening of the frontage and proposal to lay gravel were permitted development. He reported that the Bas Relief was likely to be a later addition and not an original feature and this could be repositioned, sold or donated by the property owner.

In addressing the material planning considerations and key issues, the Planner explained that the majority of the extension would be located at the rear of the property and should not cause issues with visual amenity. It was considered that there would be minimal loss of privacy and there was no planning control over the proposed parking as porous material was to be used. Approval was being recommended subject to conditions as outline in the report.

The Chairman invited the speakers to address the Committee.

On behalf of the Parish Council, Mr A Lewis advised that they considered it to be a change of use from two apartments with two entrances to a very large home and secondly, the balcony clearly overlooked the neighbours spoiling their amenity. The proposed car parking in the front was out of keeping and would result in the removal of trees and shrubs over which the Council would have control. According to the Historical Society, the Bas Relief had been in place a long time and a use needed to be found before it was removed. Finally, properties were expensive in the village and due to this conversion into a large 5-bedroomed home and others similarly converted and/or turned into holiday lets, more dwellings were no longer affordable or available for local people to buy.

As applicant, Ms K Maxwell explained that they had bought the property in October 2020 and age wise they were close to retirement and planned to live there permanently. The dwelling had suffered due to past extensions and the environmental sustainability needed improving. They intended to create a home in a beautiful setting to be used and loved by family and friends and become part of village life. The proposed timber sash windows in the front would enhance the area and rebuilding at the rear would be well screened from the road. The small balcony would no more overlook the neighbour than existing windows and they were adding to the screening with shrubs. The black weather boarding would form part of the village scene as it existed elsewhere.

Ward Member Councillor Beavan advised that this was not the worst example in Walberswick and the Parish Council needed to have their say. The overlooking from the balcony did matter because it was far easier to overlook from a balcony than from the inside of a property through the window. Perhaps the applicant could provide some form of shielding because views from standing on a balcony were different to being inside and looking out of a window. Whilst understanding that there was no real reason for refusal, Councillor Beavan asked that the applicant provide screening for the neighbours.

The Chairman asked for clarification on the planting and Ms Maxwell confirmed they were keen gardeners and would be putting in additional shrubs and fruit trees.

Members knew the area well and it was thought that there was little in the proposed works that would have an adverse effect on the village. On a proposal to approve the application, which was duly seconded, it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 6276-PL01, PL02 received 30/11/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

*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.*

## **10 DC/21/4295/FUL - 3 Trinity Street, Bungay**

The Committee considered report ES/1009 which set out details of the change of use from offices B1 to residential C3 at 3 Trinity Street, Bungay, and included the removal of a commercial advertising sign from the frontage. The application was before Committee in order that the objection from Suffolk County Council Highway's Authority could be discussed in detail.

Members received a presentation showing the site location plan, street scene, front and rear elevations of the property, double yellow lines outside along with a loading bay on the opposite side of the street. Access to the rear of the property was at the side with a right of access over the garden of No.1. The property was Grade II listed and located in the Conservation Area. The proposed floor plans showed that the property would be converted into a family dwelling; the removal of an internal wall would be subject to Listed Building Consent.

The Senior Planner outlined the material planning considerations and key issues and explained that there was no objection to the change of use. The property had previously been residential and changed to business use in the 1980s. The County Highways objection related to the lack of off-street parking provision. However, it was considered that any future purchaser would be aware of the lack of parking and the limitations of using the areas available for loading and unloading. Due to the Listed status of the property, there were limited uses for the building and given that historically it had been laid out as a residential dwelling, approval was being recommended. The proposal would provide a long-term viable use which would safeguard the building as a heritage asset.

Members noted that the County Council had themselves put the parking restrictions in place and that there had been no parking for the property when it had been used on a commercial basis. It was agreed that the property should be a residential dwelling and it was

## **RESOLVED**

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. 20-001, 20-004 and 20-005 received 14 September 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Prior to the commencement of the development details of the areas to be provided for secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.*

4. Prior to the commencement of the development 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 and used for no other purpose.

*Reason: To ensure that adequate facilities for storage are provided in the interest of highway safety.*

## **11 DC/21/3789/FUL - 3 White Point, Eversley Road, Southwold**

The Committee considered report ES/1010 which gave details of the application seeking planning permission for the development of a glazed roof pavilion at 3 White Point, Southwold. The site benefitted from planning permission for a glazed room pavilion under DS/18/2428/FUL but the structure, as built, differed from the approved scheme. Therefore, the application now before the Committee sought retrospective



permission for that amended design.

Members received a presentation showing the site location plan, photographs of the site, street scene and from the built pavilion, together with drawings of the approved scheme and new scheme. Whilst the design differed, the area of the pavilion was slightly smaller than the original and included a glazed link to the existing staircase access.

The Principal Planner advised that, whilst the property was located in the Conservation Area, it was not listed but made a positive contribution to the area. The existing roof terrace has been allowed in 2014 and the 2018 scheme had been approved on appeal. The Principal Planner compared the approved scheme to the proposal now under consideration and highlighted the main differences. The pavilion was an enclosed, watertight structure with power supply and could be used for purposes incidental to the enjoyment of the dwelling. In addressing the material considerations and key issues, it was considered that the amenity impact from the development was acceptable causing little harm and overlooking was no worse than the existing roof terrace. Concerns had been expressed over the electricity supply but Members noted that there was no reasonable planning position to prevent power supply to any outbuilding or extension to a residential dwelling. It was accepted that when illuminated internally during dark hours, it would make the pavilion more visible; however, the dwelling was located in a suburban area and nearly all buildings in the vicinity would have rooms lit during darker hours.

The Principal Planner reported additional comments received from the Town Council as they had been unable to attend the meeting in person to speak on the item.

The Principal Planner reminded Members that the approved scheme was a key material consideration in the determination of the application before them. Should the Committee be minded to refuse the application, the Council would be limited to requiring the applicant to revert back to the approved scheme and there would not be an enforcement position of preventing any pavilion structure on the roof terrace. The failure to discharge pre-commencement condition attached to the approved scheme was unfortunate but that could not be considered when determining this application on its merit. Having considered and addressed local concerns, there were no material reasons not to grant planning permission as outlined in the report, with condition 1 amended in accordance with the update sheet.

In response to a question relating to the structure being described as a pavilion, the Principal Planner advised that the name had been chosen by the Applicant. In his opinion, it was best described as a garden room or outbuilding.

The Chairman invited the public speakers to address the Committee.

Speaking as an objector, Mr R Moran explained that the application should not be granted because of the substantial increase in size and why had eight power sockets been put in. It would end up being an excellent party room for a holiday home. There was an error in the Council's document on page 164 and the diagram of the new building was completely different. Thirdly, there were missing documents from the

applicant and misinformation by the applicant including the conditions not being met on the application approved by the Inspector. The previous application had not featured power supply, that now made it residential accommodation and there had been an increase in the height of the roof. The conversion of the British Legion building to residential was on the condition that there would be no increase in the height of the roof providing an additional floor of residential accommodation. The previous application had not featured power supply. All local societies and the Town Council were of the opinion that it was an ultra modern box out of keeping in the town and the Conservation Area.

Members discussed the power supply and noted that there was no condition requiring no power supply; it would be no different to a garden shed. Power supply was a Building Control, not planning, matter and Fire Regulations would prevent anyone sleeping in the pavilion. The Principal Planner confirmed that the pavilion was slightly smaller in footprint but higher at eaves level than the 2018 approved scheme.

As Agent, Mr R Bull explained that the building had changed slightly from the original application following advice from a building surveyor. The external aluminium had to change and the building had been slightly reduced in size to ensure the pavilion was appropriately fixed. It had been necessary to make the building watertight and the Covid pandemic had affected agreeing details with the Planners and obtaining construction materials. It should be noted that the built roof structure had a thinner appearance from a distance.

The Chairman sought clarification as to what lighting was being proposed if the pavilion was to be used as a garden room in the evenings.

Mr Bull advised that no significant lighting would be put in; low level skirting lighting was to be installed. The powerpoints would be used for radios and small devices. The Building Inspector confirmed it was acceptable for a garden room to have power and it was not classed as accommodation due to the fact that there was no insulation.

Ward Member Councillor Beavan advised that he had been consulted. The structure was refused by Waveney District Council in 2014 and only won on appeal. The site was in a prominent position and it was disappointing that the applicant had not used the pre-application process to discuss their proposal with the Planners. Now it was meant to be for stargazing. The Inspector said that the structure was no different to a roof terrace but he disagreed as it looked straight into the neighbours and they would have to shut their curtains. It was another conflict between a holiday home owner and residents. Lights would not be required if the pavilion was to be used for stargazing and some overlooking could be mitigated by obscure glazing. It could be used as another bedroom and if so, who would be monitoring it? It should not have been allowed; an applicant with deep pockets who kept on submitting applications until he got what he wanted.

Members sought clarification if some obscure glazing could be requested by way of condition and what were the Council's powers of enforcement. The Planning Development Manager advised that the extant permission was the fallback position and the Inspector had not deemed it necessary for obscure glazing or lighting restrictions. The proposal was as built and that was always the difficulty with retrospective

applications.

Members were of the opinion that the structure should not be there and lighting at night could make the pavilion appear like a lighthouse. The Committee noted that there was little option but to approve as that decision had been made by the Inspector. It was therefore

## **RESOLVED**

That permission be granted, subject to the following condition:

1. The development shall be carried out in accordance with the following plans/drawings: 'NORTH EAST ELEVATION Drawing No. 03, WEST ELEVATION Drawing No. 04, 'Roof Plan' (1:20) and 'Floor Plan' (1:20), received 06 January 2022; and 'Eaves Details', 'Roof Details' and 'Fabrication Details', received 09 August 2021.

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

**Note:** Councillor McCallum left the meeting at 5.58pm during discussions on this item and before the vote.

## **12 DC/21/4575/FUL - 114 Clarkson Road, Lowestoft**

The Committee considered report ES/1011 which set out details of the planning application for a two-storey extension with setback, conversion of garage and an increase to the parking area at the front of 114 Clarkson Road, Lowestoft. The application was before the Committee as the applicant was an employee of the Council.

Members received a presentation showing the site location, aerial view, existing and proposed block plans, elevations and floor plans, together with photographs of the street scene which showed the parking intended to be discreet at sides of properties. The proposed extension would result in a 0.7m gap between the host dwelling and neighbouring property.

The Assistant Planner outlined the material planning considerations and key issues including the spacing and relationship to the neighbouring dwelling, the impact upon the character of the street scene, change in uniformity and regular street pattern, and the effect on neighbour amenity at the rear. Whilst the Parish Council supported the proposal, it was considered that the application should be refused on design and amenity grounds.

The Chairman invited the agent to speak and photographic comparisons submitted by the agent were shared with the Committee.

The Applicant's Agent, Mr I Garrett, advised that his client had submitted the application to improve their home as their budget would not allow them to move house but stay in the same area. They wanted to increase their living space and had taken inspiration from similar schemes. They had taken into account neighbouring properties and all work would be carried out with care and to high standards. Looking

at the photographs of similar examples which had been shared, he considered that the design would provide no harm to the neighbours.

Members noted the officer's recommendation for refusal and sought clarification as to why further discussions had not taken place to make the proposal acceptable. Mr Garrett advised that the proposal was to ensure that the dwelling retained amenity space to the rear and if the extension was pushed to the rear, it would reduce that amenity space for the family. In his opinion, there was no demonstrable harm to the neighbours with the proposed extension.

During debate, Members acknowledged the detrimental effect on the street scene and expressed deep concern of the proximity to the neighbouring dwelling with the gap reducing from 3.3m to 0.7m. It was disappointing that the Agent had not been able to negotiate something that would be acceptable. The Committee supported the officer's recommendation and it was

## **RESOLVED**

That the application for planning permission be refused on grounds of design and amenity impact.

The reason for the decision to refuse permission is:

The proposed two storey side extension would result in a cramped and discordant feature in the streetscape, by virtue of its design, siting, scale, height and massing, which would not respond to the local site context in a sympathetic manner, causing harm to the spatial layout along this part of Clarkson Road and resulting in a car dominated frontage. The combined length and increased height of the proposed single storey rear element on the boundary would adversely impact upon the neighbour's amenity by its dominating impact and increased shading. Both aspects contravene policy WLP8.29 of the East Suffolk Waveney Local Plan, adopted 2019.

## **13 DC/21/5114/FUL - 315 London Road South, Lowestoft**

The Committee considered report ES/1012 which gave details of the planning application for the change of front windows and door at 315 London Road South, Lowestoft. The application was before the Committee as the applicant was an employee of the Council.

The Assistant Planner advised that the application proposed to replace the non-original front windows and door at an unlisted property in the Conservation Area. The proposals were judged to be compliant with policy guidance and would preserve the Conservation Area.

Members receive a presentation showing the site location plan and area, photographs of the property and street scene, proposed elevation and window specification. The Town Council had no objection.

The Assistant Planner confirmed that the proposed changes to the front fenestration accorded with the objectives of WLP8.39 and the Historic Environment SPD. The works would preserve the character and appearance of the property and approval was being recommended.

Members supported the proposal and it was

**RESOLVED**

That planning permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan, Window spec details and Elevation A921 received 15th and 19th November 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

The meeting concluded at 6.35pm.

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Chairman